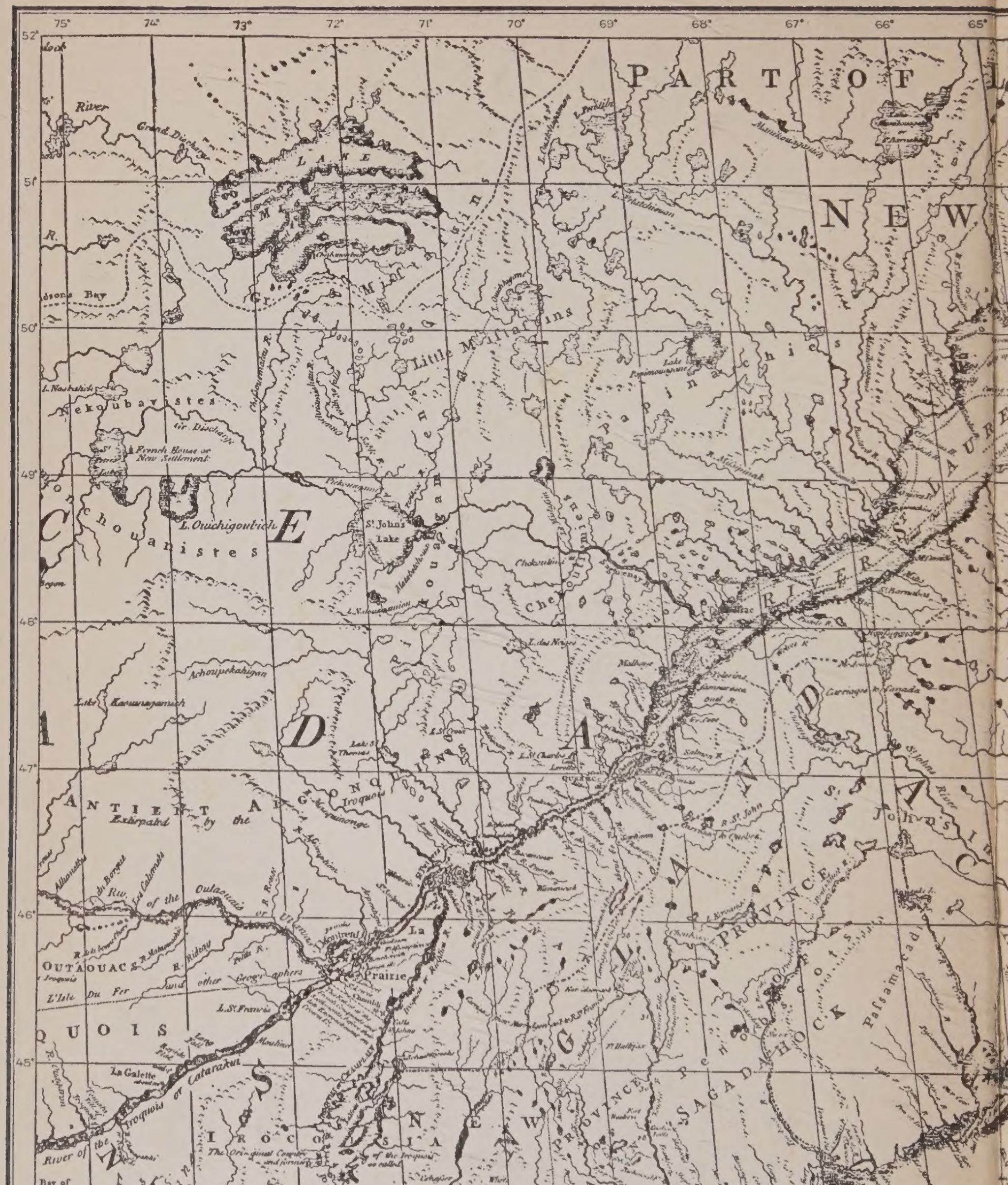
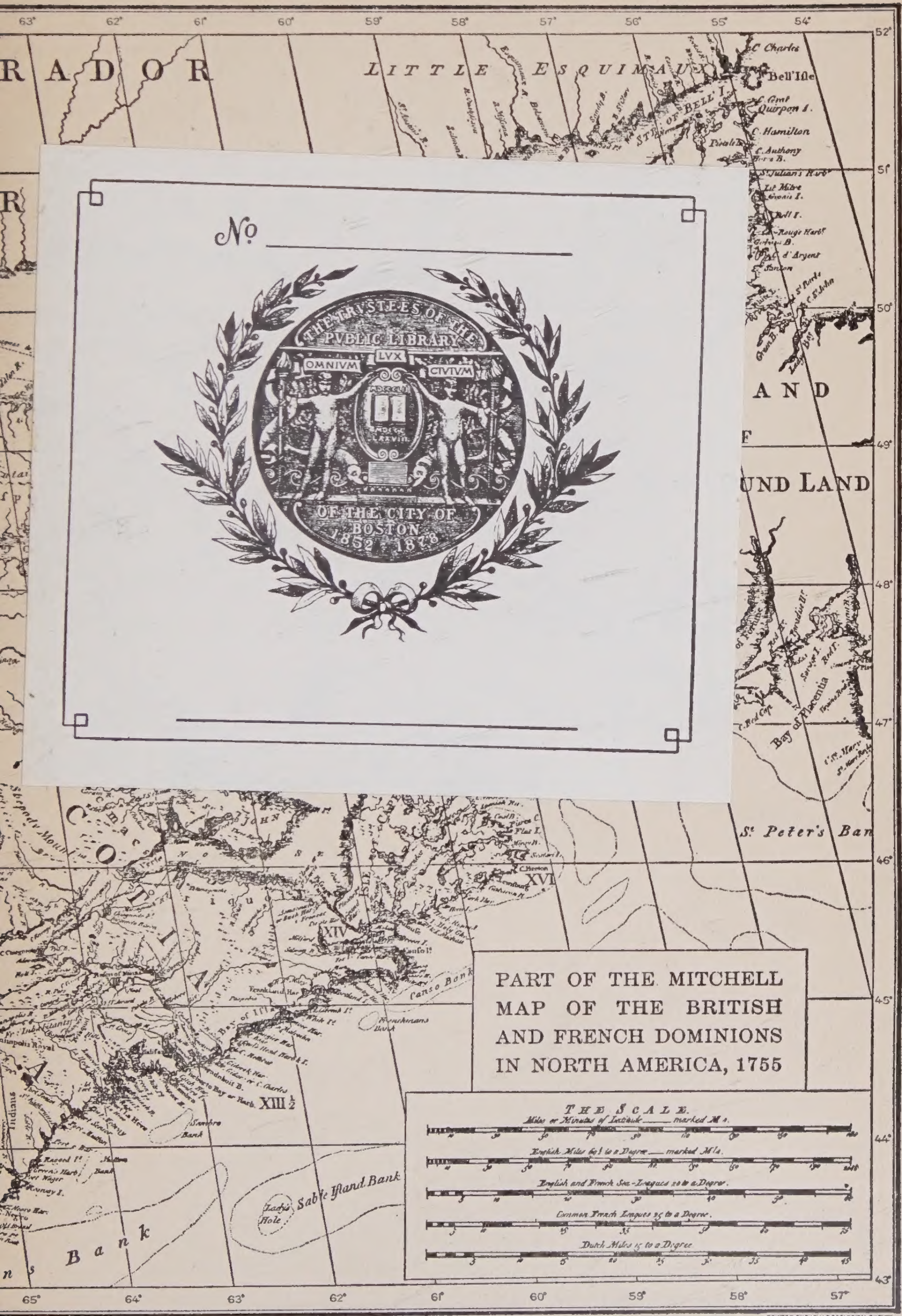
THE ROMANCE OF THE BOUNDARIES

JOHN T. FARIS



PART OF NEW
CANADA
LAKE MISTASSINS
Gr. Mistassins
Little Mistassins
Papinachois
Nekoubaystes
Chouanistes
Cheoutimi
French House or New Settlement
L. Ouichigoubich
St. John's Lake
L. Piscatouagami
Chekoutimi
Lake Papinouagane
Manikouaguich
R. Manicouagan
R. Missipinak
L. Nasksoui
Achoupekahigan
Lake Kaouasagamich
L. St. Thomas
L. St. Charles
L. des Neiges
Malbaye
Tadousac
RIVER ST. LAURENCE
Kamouraska
Quebec
ALGONQUINS
ANTIENT ALGONQUINS Extirpated by the Iroquois
Iroquois
River of the Outaouais or Utawas
OUTAOUACS
Rideau R.
Montreal
La Prairie
Chambly
L. St. Francis
L'Isle du Fer
IROQUOIS
La Galette
River of the Iroquois or Cataraqui
Bay of Niaure
Lake Champlain
Crown Point
IROCOSIA The Original Country of the Iroquois so called
NEW HAMPSHIRE
MAIN PROVINCE
SAGADAHOCK
Penobscot
Passamacadie
St. John's River
St. John's
ACADIA
PROVINCE
Mount Desert
Portsmouth
Cape Ann
Connecticut R.
White Mountains
Ft. Halifax
Casco Bay
Georges Ledge
Mohawks
Oneidas
Onondagas
75° 74° 73° 72° 71° 70° 69° 68° 67° 66° 65°
52° 51° 50° 49° 48° 47° 46° 45° 44° 43°

C. C. DASEY



PART OF THE MITCHELL
MAP OF THE BRITISH
AND FRENCH DOMINIONS
IN NORTH AMERICA, 1755

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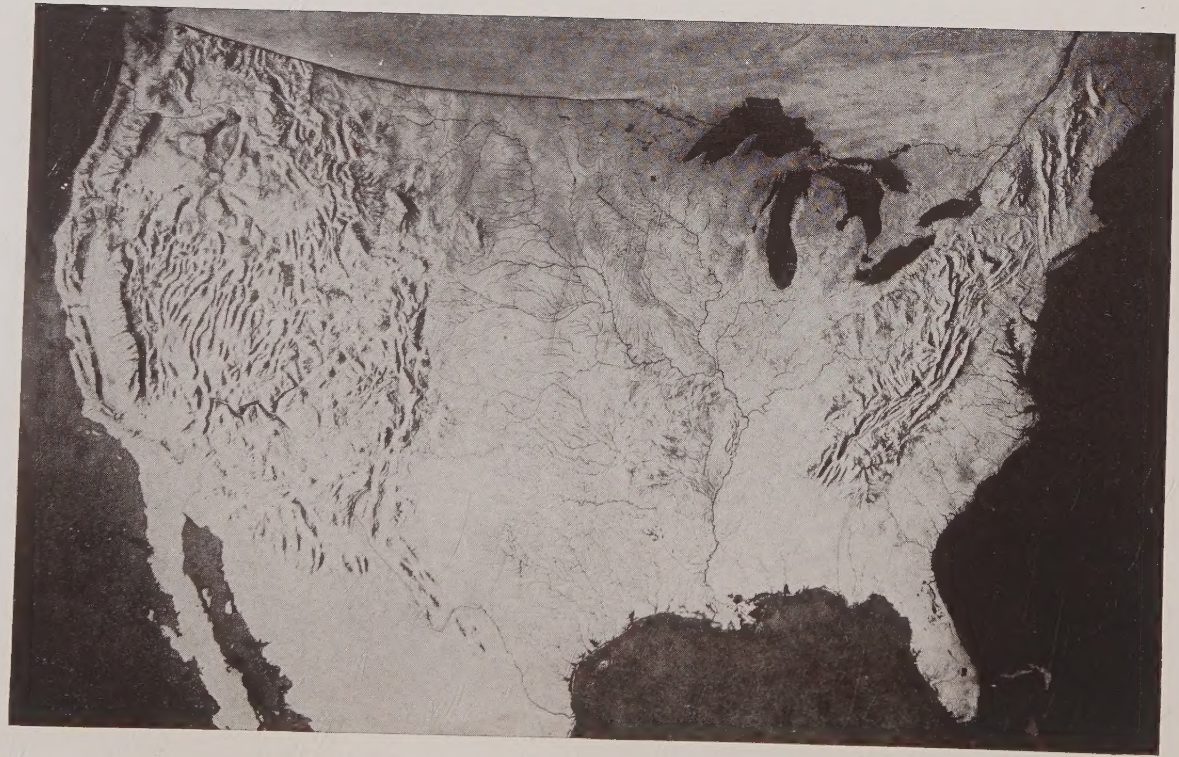

THE UNITED STATES WITHOUT STATE BOUNDARIES

The ROMANCE *of* THE BOUNDARIES

By JOHN T. FARIS *author of*
"The Romance of Forgotten Towns"
"When America Was Young," Etc.

Profusely Illustrated

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THE BOUNDARIES

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FOREWORD

THE effort is vain to tell in a single volume the whole of the intensely interesting story of International and State boundary controversies. If to the facts that are easy of access to all should be added even the majority of the stories about the boundaries which are hidden away in musty records, there would be need for many volumes.

So the author has contented himself with telling a part of the story, in the hope not only that some readers will be satisfied with what they read, but also that others will wish to go on to make independent investigation in the fascinating subject.

Those who make further investigation will probably find records that equal in interest any of those that have been drawn on by the author. As they read they will discover that patriotic partisanship leads them to alternate pride and dismay—pride because of the diplomatic triumphs of our own country; dismay because of what seems to be the overreaching of others, to our cost.

The wider the reading the surer will be the cure for any unreasoning feeling of boastful pride in American astuteness, while there cannot but result a more charitable view of the activities of those who have been engaged with us in boundary disputes. Just at first we may not be ready to indorse words written by Alfred J. Hill in *The Mississippi River and Its Sources,* but later we shall find ourselves in hearty agreement with his statement concerning the attitude of the impartial student:

"He must consider that international treaties are only bargains on a large scale, in which one or other of the high contracting parties is liable to be overreached, and that sometimes the decisions made are not in accord with reason and abstract justice, but yet, that the compacts have been signed, the matter is settled. When, however, questions of territorial boundaries have been discussed with a view to international agreement, faulty decisions in such cases are by no means always to be attributed to great astuteness on one side, and simplicity on the other; for a lack of private correct geographical information, from which had resulted erroneous and misleading maps, is the most likely cause. After all, boundary agreements can scarcely be anything but compromises, and if it should appear later on that the decision was somewhat unfair to one party, yet it would not be considered dignified for the other to clamor then for reconsideration."

In telling of the boundary disputes between States it has been neither possible nor advisable to refer to all of them. Some of the disputes to which no reference has been made were quite similar to others mentioned in this volume. But it will be noted by some that there have been omitted such remarkable stories as that of the Yazoo Fraud, begun in 1795, when the Georgia legislature enacted a bill providing for the sale to favored companies of practically all the area now within the States of Alabama and Mississippi; the Margravate of Azilia and its strange bearing on the history of early Georgia; the curious incidents in the history of the California Missions which had no trifling influence on the boundaries of that State; the origin of the St. Mary's River as a boundary between Georgia and Florida, as it was for nearly forty years an international boundary; and the jealousies between Rhode Island and its neighbor on the north which led to all sorts of bickerings and recriminations, of which a reply from a correspondent in Connecticut to a man in Rhode Island was typical:

"We must needs say if in your former letter you had dealt as plainly we should never have given ourselves the labor and trouble we have had on that account, and now indeed we cannot but see you never intended any composure or compliance in the thing in controversy."

Finally, if there had been room, there might have been added to the volume some of the numberless tales of jealousy concerning boundaries between towns—for instance, Cohasset and Scituate, Massachusetts. The natural boundary between those towns was a bog, a salt inlet, and marshes covered with salt grass. The ground was rich, the hay product was worth while, so both towns desired the marsh. As early as 1637 a joint commission was appointed, to settle the dispute, and Governor Bradford, Edward Winslow, and John Endicott were members. When they announced their decision that Bound Brook, which flowed into the salt inlet, was the true boundary, Scituate demurred. When Hingham set out the boundary stakes according to the commission's award, Scituate people pulled them up, then proceeded to cut the marsh grass. Two hundred years were required to settle the disagreement!

Fortunately, in the case of Cohasset and Scituate, good will has displaced suspicion and hatred. So with States which have disagreed with one another on the boundaries, as well as nations which have questioned the limits claimed by our country: to-day they are good friends; perhaps the friendship is all the more worth while because of the incidents that provoke our smiles, though a century, two centuries, three centuries ago, the smile that made light of such an all-important matter as a boundary line would have brought withering rebuke.

The outline maps have been adapted from those given in Boundaries and Areas of the United States, published by the Government Printing Office, in Washington, 1923.

JOHN T. FARIS.

Part One: *International Boundaries*

CHAPTER I

THE BLOODLESS AROOSTOOK WAR

"We are marching on to Madawask
To fight the trespassers;
We'll teach the British how to walk—
And come off conquerors.

"We'll have our land right good and clear
For all the English say;
They shall not cut another twig
Nor stay another day.

"Onward! my lads so brave and true.
Our country's right demands.
With justice and with glory fight
For the Aroostook lands."

Thus sang, to the tune of "Auld Lang Syne," the men of the Maine militia and the volunteers, as they marched from Bangor to the Aroostook Country in February, 1839. They were responding to the call of Governor Fairfield, who had drafted 10,343 men to go to the northern country "to resist invasion" from New Brunswick. Eight hundred thousand dollars had been appropriated by the state legislature for the expenses of the campaign.

The marching soldiers knew that not only the State, but the country, stood by them. For had not Congress authorized President Van Buren to raise 50,000 troops and to spend $10,000,000, if necessary, in the defense of the threatened lands of northern Maine?

Sometimes the singing was varied by the words of another battle song:

"We'll lick the redcoats anyhow,
And drive them from our bounds;
The loggers are awake—and all
Await the Gin'ral's orders;
Britannia shall not rule the Maine,
Nor shall she rule the water;
They've sung that song full long enough,
Much longer than they oughter.

"The Aroostook's a right slick stream,
Has nation sights of woodlands,
And hang the feller that would lose
His footing on such good lands.
And all along the boundary line
There's pasturage for cattle;
But what the line of boundary is,
We must decide by battle."

Excitement was at fever heat, not only among the soldiers, but back in the town which the militia had left behind. With enterprise worthy of the modern newspaper man, the editor of the Bangor *Whig* maintained a correspondent at the front whose messages were received with avidity by the patriots at home. On one occasion they read:

"The appearance of the troops is such as excited our surprise and admiration. Coming together at a moment's notice, every man seemed to be prepared for duty, and eager to reach the scene of action."

Once again the message came:

"The soldiers have erected a fort with logs, and have five field pieces mounted. . . . Four of the British Regular troops, deserters from the Provinces, arrived. . . . Friday night. Desertions are taking place daily. . . .The Stars and Stripes will coax many of her Majesty's subjects to their ample folds."

The report received in Bangor of the address of Governor Fairfield to the troops provoked cheers:

"An unfounded, unjust, and insulting claim of title has been made by the British Government to more than one third of the whole territory of your State. More than this, it insists upon having exclusive jurisdiction and possession until the claim of title is settled, while in the meantime its subjects are stripping the territory of the valuable growth of timber, in defiance of your authority. . . . Perhaps before this moment your soil has not only been polluted by the invader's footsteps, but the blood of our citizens may have been shed by British Myrmidons."

The editor at home kept pace with the field correspondent. In one issue he said:

"We stand ready to shoulder our musket and take our chance in the first rank of our militia—and entertain not the slightest doubt but that the whole body of our citizens would rise as one man, to defend the territory purchased by the blood of our fathers."

Again he wrote:

"The crisis demands the united energy and action of all parties and we doubt not that . . . the deep enthusiasm which pervades every bosom, will continue . . . until the rights of our noble State are maintained at all hazards."

On another occasion an editorial appeared under the caption, "Steady!"

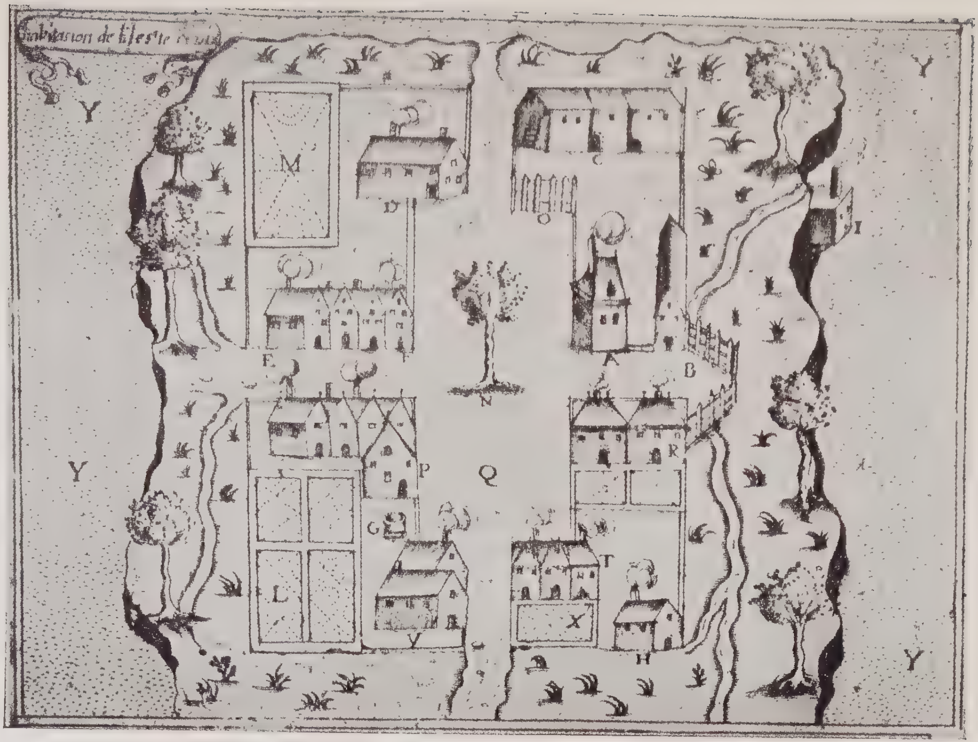
"Our State has been for the third time invaded and our citizens forcibly arrested, carried away and incarcerated in a Foreign Jail. . . . We have remonstrated and entreated long enough, and to no purpose. We now appeal to arms. . . . As we are in this city in the midst of a great excitement it behooves us all to keep calm and cool and proceed with the utmost deliberation. Expresses are passing every day through the city from the Aroostook and from the Provinces to Augusta and back. Our streets for the last two days have been filled with the busy preparations for the Aroostook expedition. Twenty men are engaged at the Foundry casting balls. Bodies of volunteers from the country are passing through the city, and not less than five hundred are now between this place and Matawamkag Point."

The expedition of which the *Whig* told with ardent patriotism was the culmination of more than half a century of waiting for the settlement of the dispute concerning the boundary between Maine and New Brunswick—a boundary which the makers of the Treaty of Paris in 1783 thought they had settled, though their settlement proved to be only the beginning of uncertainty and trouble.

During the negotiations that preceded the treaty, Benjamin Franklin calmly asked that all Canada be ceded to America, "in order that its lands might be sold to raise a fund for the compensation of Americans whose property had been destroyed." His request led to the response of Lord Grenville; he said he could not see why England should give away a fourteenth province, when she had already lost thirteen.

But the wise Franklin was merely playing his cards well; he proposed to ask for more than he expected to receive, that he might receive more than some of those who sat with him in conference proposed to give.

Franklin has been credited with other acts of diplomacy that were baffling. During the long discussion as to the meaning of the treaty adopted many references were made to a mysterious map, reported to have been discovered in government archives at Paris. On this Franklin, on December 6, 1782, is said to have indicated in red ink

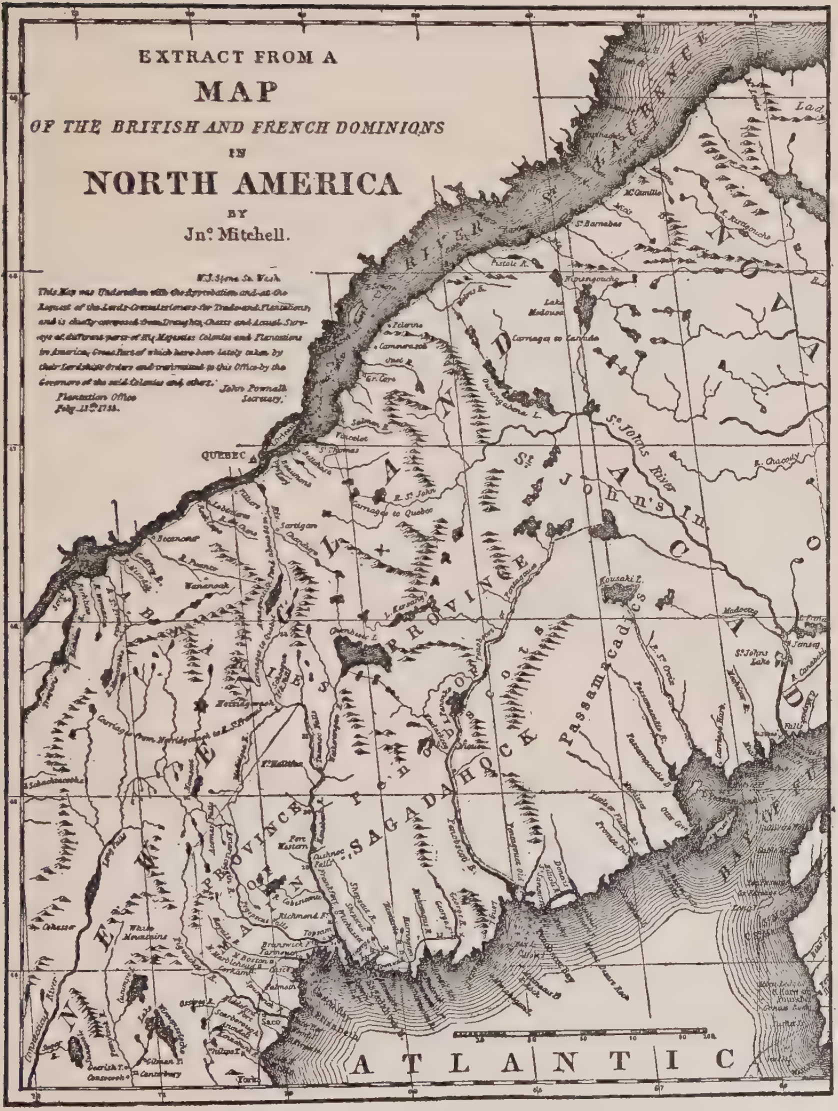


CHAMPLAIN'S SKETCH OF THE ISLAND OF ST. CROIX AND BUILDINGS, 1604

AT LUBEC, MAINE

FORT FAIRFIELD, MAINE

WHERE DE MONTS BUILT A FORT IN 1604


EXTRACT FROM A
MAP
OF THE BRITISH AND FRENCH DOMINIONS
IN
NORTH AMERICA
BY
Jn°. Mitchell.
W.J. Stone Sc. Wash.
This Map was Undertaken with the Approbation and at the Request of the Lords Commissioners for Trade and Plantations, and is chiefly composed from Draughts, Charts and Actual Surveys of different parts of His Majesties Colonies and Plantations in America, Great Part of which have been lately taken by their Lordships Orders and transmitted to this Office by the Governors of the said Colonies and others.
John Pownall Secretary.
Plantation Office
Feby 13th 1755.
QUEBEC
RIVER ST LAURENCE
NOVA SCOTIA
St Johns River
St Johns L.
PROVINCE OF SAGADAHOCK
Passamcadies
NEW ENGLAND
PROVINCE OF MAINE
White Mountains
Connecticut River
Kousaki L.
Chaudiere L.
Norridgwock
Carriage to Quebec
Richmond F.
Brunswick F.
Falmouth
Saco
York
Canterbury
Contoocook
Pemaquid
Kennebec R.
Penobscot R.
BAY OF FUNDY
ATLANTIC

SECTION OF MITCHELL'S MAP OF 1755

a boundary between Maine and Nova Scotia which was exactly according to the claims made by Great Britain. An English politician later declared that this marking of the boundaries was not done in good faith; that Franklin's purpose was to "throw dust in the eyes of the French minister." France, he said, desired to keep the United States and Great Britain from coming to a friendly understanding; she hoped that America could be persuaded to make unreasonable demands which would be refused by Great Britain. So the possibility has been suggested that Franklin marked a map incorrectly for French consumption—not as a true record of the preliminary agreement.

However much or little of truth there may be in this story of Franklin's map-marking, it is true that there were interested watchers at the conference. For instance, it has been told that the Spanish representative at Paris wrote to Madrid:

"The Federal Republic is born a pygmy; a day will come when it will be a giant."

The Spaniard was nearer the truth than the Englishman who made the comment:

"The Americans can never be united into one compact empire, under any species of government whatever; a divided people till the end of time, suspicious, and distrustful of each other, they will be divided and subdivided into little commonwealths or principalities, according to natural boundaries, by great bays of the sea, and by vast rivers, lakes, and ridges of mountains."

If it had been the purpose of the treaty-makers to plant seeds of trouble and uncertainty, they could not have done better than when they defined the Northeast boundary. The St. Croix River was made the beginning of the northern boundary of Maine because, in 1763, it had been fixed as the northern boundary of Massachusetts, of which Maine was a dependency.

The paragraph defining the line, as it left the hands of the treaty-makers, read:

"From the northwest angle of Nova Scotia, viz., that angle which is formed by a line drawn due north from the source of the St. Croix River to the highlands; along the said highlands, which divide those rivers that empty into the St. Lawrence from those which flow into the Atlantic Ocean, to the northwesternmost head of the Connecticut River; thence, down along the middle of that river, to the 45th degree of North latitude; from thence, by a line due west on said latitude, until it strike the river Iroquois or Cataraquy (St. Lawrence) . . . East by a line to be drawn along the middle of the river St. Croix, from its mouth in the Bay of Fundy, to its source, and from its source directly north to the aforesaid highlands. . . ."

Perfectly simple, wasn't it? Yet somehow questions multiplied when the attempt was made to mark boundaries according to the simple rules laid down. In time five major questions asserted themselves:

First: Which of the several rivers running into the Bay of Fundy is the St. Croix?

Second: Where is the northwest angle of Nova Scotia?

Third: What and where are the highlands, along which the line is to run, from the northwest angle of Nova Scotia, to the northwesternmost head of the Connecticut River?

Fourth: Which stream going to make up the Connecticut River ought to be regarded as the northwesternmost head?

Fifth: Are the rivers which discharge their waters into the Bay of Fundy rivers which fall into the Atlantic Ocean, in the sense of the term used in the treaty?

Thirteen years passed before the first point was decided, and even then it was necessary to have another treaty, and a long seance with commissioners. The Treaty of London, in 1794, decided that "whereas doubts have arisen what river was truly intended under the name of the river St. Croix . . . that question shall be referred to the final decision of commissioners. . . ."

One commissioner from each nation was to unite in choosing a third commissioner, and their decisions as to the real River St. Croix were to be final.

Among the interesting documents which have come down to us telling of the work of the commission is a letter from James Sullivan to Francis Joseph, governor of the "Passimaquody" Indians. This was dated at Schoodic Falls on September 29, 1796. Joseph was addressed as "Brother." This is the message he read:

"I came here with a hope to see you. I am agent for the United States to appear before men who are appointed to find the river the United States and the King called St. Croix. . . . The men who are come and coming want to hear what your old men can tell them truly on the question. You know that the United States is your friend, as you know that Massachusetts ever has your tribe as her children, and you must not be unwilling to come at the call and tell the truth."

In their search for the true St. Croix the commissioners had in mind something that they hoped would prove decisive. The St. Croix River had been given its name from the island, called by De Monts St. Croix, near the mouth of the stream, where the explorer had made the first European settlement on the continent north of Florida, on June 26, 1604—the settlement that has been called "the real beginning of trouble between England and France." Find the island, and they would know the St. Croix! Find the St. Croix, and the boundary dispute would be settled—or so, at least, the commissioners thought.

THE INTERNATIONAL BOUNDARY IS IN THE CENTER OF THE MAIN FALL

BOUNDARY MARKER ON CAMPOBELLO ISLAND, IN PENOBSCOT BAY

After long search they were led to Dochet Island, perhaps half a mile from either shore of a river, and close to the ocean. The island was covered with dense undergrowth, but they were undismayed by sand and sedge and whortleberry bushes; they dug and they delved until they uncovered the unmistakable remains of the foundations of some of De Monts' buildings.

On the southern shores of the stream is the town of Calais, Maine, while on the north shore the New Brunswick town of St. Stephen is located. And this stream was set down to be known forever as the St. Croix, though it was then known as the north branch (called Cheputnaticook) of the Schoodic. October 25, 1798, was the date of the decision. The St. Croix was traced to its source, and there a monument was erected. At last a point on the boundary had been fixed!

A good beginning—but it was only a beginning. For forty-four years more were to pass before the four remaining questions raised by students of the treaty of Paris should be solved.

Something more might have been accomplished in consequence of the action of a convention in London, in 1803, which authorized the running of the line from the monument at the source of the St. Croix, to the northwest angle of Nova Scotia, and then, according to the treaty, to the head of the Connecticut River. But the agreement of the London Convention was not ratified, because of its reference to the boundary line much farther west, which, while according to the Treaty of 1783, was not according to the new conditions created by the purchase of Louisiana from France—a purchase completed only a few days before the convention agreed on a report. Naturally, the United States authorities decided to omit this western article from the treaty, and England was unwilling to ratify a treaty with the omission of what seemed to her an all-important article.

After the fixing of the monument at the source of the St. Croix River, the next thing was to decide on the point at the northwest angle of Nova Scotia which was on the highlands dividing the rivers which empty into the St. Lawrence from those which empty into the Atlantic Ocean.

Great Britain held that this point was Mars Hill, about forty miles south of the present northeast corner of Maine; this, it was held, fulfilled the conditions because it was on the highlands separating the Penobscot, Kennebec, and Androscoggin rivers, streams which flow into the Atlantic Ocean, from the rivers that empty into the St. Lawrence River.

But the United States contended with equal earnestness that the true point of departure was 145 miles north of the source of the St. Croix, or perhaps seventy miles north of the present northeast corner of Maine. This point was on the highlands to the north of the St. John River, which empties into the Bay of Fundy, and to the south of the Restigouche River, which finds its way into the Bay of Chaleur. Then the northern boundary of Maine would have extended within twenty miles of the St. Lawrence, thus cutting off the forts and the military roads between New Brunswick and Quebec.

The argument made by Great Britain controverting these extreme claims of the United States was that the Bay of Fundy could not be considered as the Atlantic Ocean, which was expressly named in the treaty. The reasoning was ingenious:

"When we speak of the Gulf of Bothnia or Finland, do we not always consider them as distinct from the Baltic? Or of the Adriatic as distinct from the Mediterranean? Would it be correct or consistent with the received use of language to affirm that St. Petersburg is built on the Baltic, Venice on the Mediterranean, Amsterdam on the North Sea, Baltimore and Annapolis on the Atlantic Ocean? Yet all the bays and gulfs on which these places respectively stand, are to the respective seas with which they are immediately connected, what the Bay of Fundy is to the Atlantic Ocean."

But ingenuity was shown by the United States as well. The reply was made:

"No one can doubt that, when the Gulf of Finland, or the Adriatic, Hudson's Bay, or the Chesapeake, are specified by their distinct names, it is for the express purpose of considering them, for the time, apart and as respectively distinct from the Baltic, the Mediterranean, and the Atlantic. Nor that, when the object is to designate with precision the situation of St. Petersburg, Venice, Amsterdam, or Baltimore, the particular inlet, gulf, or bay, on which the cities are respectively situated, must necessarily be specified. But this use of specific names does not at all prevent the use, or restrain the meaning of the generic terms, when there is occasion for them. Thus the British merchant, when speaking of the Mediterranean or the Baltic trade, always embraces that to Venice in the first instance, and that to St. Petersburg in the second. And thus a voyage from a European port, whether to Baltimore, to Quebec, or to New York, is always and with equal propriety called a voyage across the Atlantic."

Further, Great Britain declared that by "highlands" the treaty meant a mountainous country—and this could not be found, so far north as the United States said the line should be drawn. The United States said, on the other hand, that "highlands" simply meant a height of land, a dividing ridge between watercourses.

The analysis of words and phrases has always been a puzzling part of the interpretation of treaties. But in this case the analysis went so far that there seemed to the United States to be the utmost justification in the charge of "incredible misapplication of language" and "gross absurdity."

Of course settlers were attracted to the country in dispute, and lumbermen proceeded to cut the pines which grew there so luxuriantly. It was not in human nature to keep out of a territory of some 12,000 square miles simply because its ownership was in dispute. Probably the uncertainty added to the appeal of the district. Americans made homes in the Madawaska country far north toward the St. Lawrence, a region originally settled by fugitive Acadians in 1756, and desired both by New Brunswick and by Maine. Titles to lands were given to the settlers by Maine and Massachusetts. Others made their way into the Aroostook Country, now comprised in the northern county of Maine, famous for its potatoes.

Naturally there were difficulties. New Brunswick authorities not only levied taxes on them, but treated them as undesirable aliens. There was so much difficulty in securing justice in the courts that a company of American citizens agreed that they would not make any appeal to these courts, but would settle differences among themselves.

For daring to lead his neighbors in this defiant attitude, John Baker, landholder by deed from Maine and Massachusetts, was arrested on the charge that he and his neighbors "did, amongst themselves, conspire, combine, confederate, and agree together, falsely . . . and seditiously." He was dragged to jail at Frederickton, New Brunswick, but was released after a time.

All these matters, and many others, were laid before the King of the Netherlands, when he was selected in 1829 as the arbiter of the dispute. After thorough sifting of the evidence, he decided that the line from the source of the St. Croix should pass due north to a point where it intersects the middle of the thalweg (deepest channel) of the river St. John; thence, following the river, to the point where the St. Francis River emptied into it; thence along the St. Francis to its southwesternmost branch, thence west to the line claimed by the United States; thence to the line claimed by Great Britain; thence to the northwesternmost source of the Connecticut River.

It was understood that the verdict was not according to the evidence, but that it was the best which could be reached under the circumstances. It gave to the United States a large portion of the territory to which it laid claim. But it did not satisfy Maine, which had to agree before the United States could ratify the award, since the nation could not change the boundaries of a state without its consent. In January, 1832, Maine recorded her dissatisfaction, and the United States accordingly withheld its assent. This action was certainly justified in view of the fact that the arbiter had not acted in accordance with the terms of his appointment; he was not to make a compromise, but was charged with determining which of the contenders was correct.

Then followed eleven years of dissatisfaction, disturbance, disagreements. The incursion of lumbermen from the north and of settlers from the south continued. Court officers asserted their authority, and dragged prisoners to Frederickton, where New Brunswick had established a military post for the defense of the disputed territory, Maine having built a similar fort at Houlton. Other officials took prisoners to Bangor, Maine. A local historian has called attention to the fact that once an American prisoner in British hands was taken to Frederickton by sled, and found lodging in the jail, while a British prisoner in American hands was taken to Bangor in a carriage, was lodged at the Bangor House, and was given the best the hotel afforded.

In 1837 Ebenezer Greeley, who had been sent by the state of Maine to take a census of the people of Madawaska, and to distribute among them their share of surplus money in the United States Treasury, was arrested on the charge that he was bribing the inhabitants to become partisans of the United States. Yet the people of Madawaska considered themselves—as they were considered by Maine—American citizens; the town had been organized as a plantation, and had a representative in the Maine legislature.

Finally, in 1838, the trespassing of the raiders on the forest wealth was so insistent that Massachusetts and Maine united in sending agents to study and report concerning the situation. Their report showed hundreds of lumbermen who were despoiling the timber along the various rivers; they estimated that the season's cut would be worth at least $100,000.

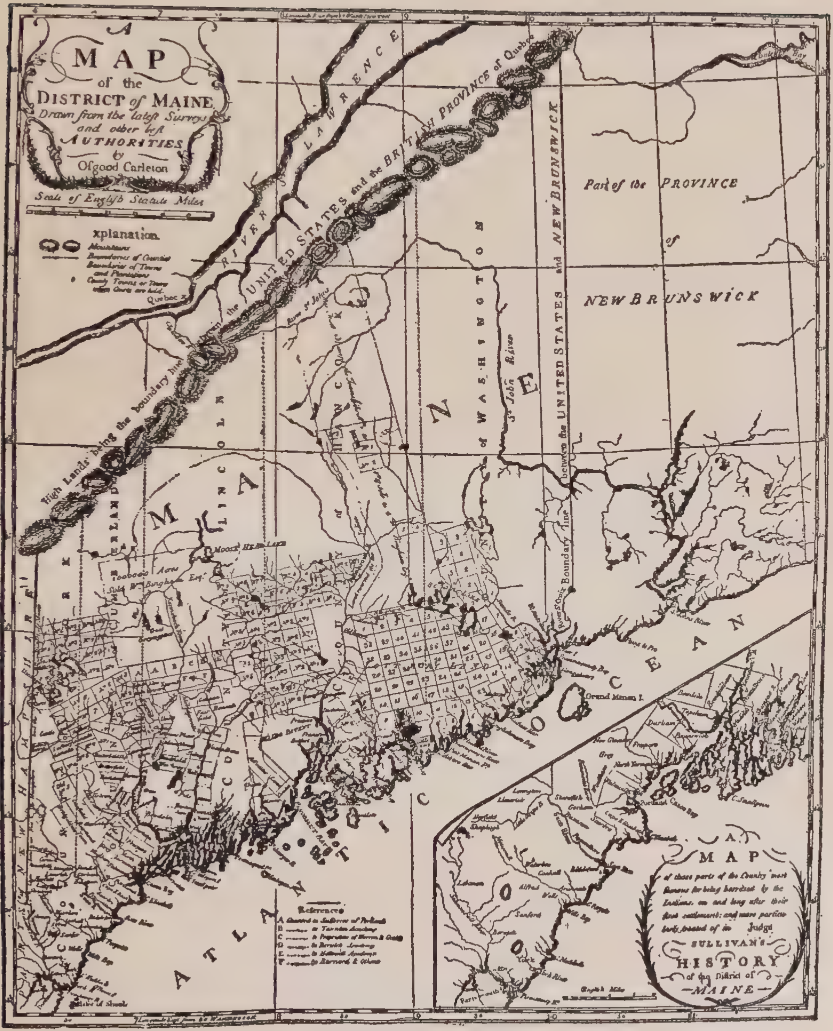
So, in January, 1839, Governor Fairfield of Maine asked the legislature to send a land agent "with a sufficient number of men, suitably equipped, to . . . break up the camps and dispossess those who are engaged in the work of devastation and pillage." An appropriation of $10,000 was made for the purpose and land agents took a civil force of about five hundred men to the mouth of the Little Madawaska, where they made camp.

On February 12, 1839, men from New Brunswick surrounded the camp, and three of the land agents were taken to Frederickton. Next day Sir John Harvey, Lieutenant-Governor of New Brunswick, issued a proclamation, which, to the people of Maine, seemed a declaration of war. More, he sent word to the Governor of Maine, at Au-

GRAND FALLS, ST. JOHN RIVER, TWO MILES FROM THE INTERNATIONAL BOUNDARY

LOOKING WEST FROM BOUNDARY, NEW HAMPSHIRE AND CANADA

HALL'S STREAM VALLEY


A MAP of the DISTRICT of MAINE Drawn from the latest Surveys and other best AUTHORITIES by Osgood Carleton
Scale of English Statute Miles
Explanation
RIVER ST LAWRENCE
High Lands being the boundary line between the UNITED STATES and the BRITISH PROVINCE of Quebec
Quebec
Part of the PROVINCE of NEW BRUNSWICK
between the UNITED STATES and NEW BRUNSWICK
St Croix Boundary line
St John River
MAINE
LINCOLN
HANCOCK
of WASHINGTON
CUMBERLAND
NEW HAMPSHIRE
Moose Head Lake
Grand Menan I.
ATLANTIC OCEAN
Reference
A MAP of those parts of the Country most famous for being harrassed by the Indians, on and long after their first settlement; and more particularly treated of in Judge SULLIVAN'S HISTORY of the District of MAINE

SULLIVAN'S MAP OF 1795
FROM THE HISTORY OF THE DISTRICT OF MAINE BY JAMES SULLIVAN

A. C. C. H. LIBRARY
SOUTH BOSTON, MASS.

gusta, insisting that American troops be recalled from the Aroostook, because he had been intrusted by the British government to maintain exclusive control of the territory in dispute. This he would do by military force, if necessary.

Events moved rapidly. Five hundred British regulars from Quebec went to Madawaska. Canoes were sent up the St. John River from Frederickton. It was reported in Bangor that on March 1 a regiment of 800 Fusiliers from Cork, Ireland, landed in St. John, and that they were to be sent into the disputed territory.

When the camp of the land agents on the Little Madawaska was attacked, messages were sent by swift relays of horses to Augusta, Maine. There the Governor and the legislature acted energetically. Soldiers were called out and a line of blockhouse forts was put in order. Among these defenses were Forts Kent, Fairfield, and Halifax. Fort Fairfield guarded the Aroostook River, while Fort Kent commanded the headwaters of the St. John. Military roads were built from Fort Kent and Fort Fairfield to Houlton, Maine. The soil of Maine had been invaded by a foreign foe!

Action by the United States government followed, as related in the beginning of the chapter. President Van Buren sent for General Winfield Scott, and asked him to take charge of operations in Maine.

"Do you want war, Mr. President?" asked the officer. "If you do, I have only to look on in silence. The Maine people could make it hot and fast enough.

"But if peace is what you wish, I can give you no assurance of success. The difficulties in the way may be formidable."

"Peace with honor is my dream!" was the response.

When General Scott reached Augusta, on March 5, 1839, he opened headquarters, and proceeded to hold a conference with the leaders. Governor Fairfield was one of the first to speak:

"The people of the State surely are not desirous of hurrying the two nations into a war. Such an event is anxiously to be avoided, if it can be, without dishonor. We owe too much to the Union, and ourselves, and above all to the spirit and principles of Christianity, to bring about a conflict of arms with a nation having with us a common origin, speaking a common language, and bound to us by so many ties of common interest, without the most inexorable necessity."

It was soon determined that if the Lieutenant-Governor of New Brunswick would abandon all idea of occupying the disputed territory with a military force, and of attempting the expulsion of Americans, the Governor of Maine would withdraw the militia. The land agent would remain with a sufficient force to drive out the trespassers, and to protect the timber from depredations.

Fortunately, it was possible to arrange a truce on such terms. The further understanding was reached that New Brunswick should take charge of the Madawaska country to the north, and that Maine should have control of the Aroostook region to the south, pending final settlement of the boundary dispute.

The feeling in Great Britain in consequence of the events on the border was indicated by an article published in the London *Westminster Review* during 1840. The author—in the course of a review of a Montreal book which told of the occurrences leading to the bloodless war—gave a vivid picture of the state of public opinion, as well as of the slow manner of molding it:

"A war between the United States and Great Britain would be, without any exception, the most calamitous event that could affect the inhabitants, not merely of these two great nations, but of . . . civilization. No *little* war could or would be carried on between them. The mighty energies of both parties would in such case be put forth to the utmost. . . .

"Formerly, excited as the American people constantly were on the topic, the British government and public looked on it with the utmost indifference. For a week or two in the course of each year we used to be startled from our apathy by the receipt of intelligence from the other side of the Atlantic, which impressed us with the notion that war was absolutely inevitable. But with the first reassuring news . . . our apathy used to return. . . . But of late the alarms have been too frequent and too serious. . . . Every fresh packet brings intelligence . . . and the most reflecting minds in each country begin to be filled with severe apprehension as to the possibility of preserving peace."

The article went on to tell of the necessity of taking strong steps to settle the question, since "the irritation now existing in the United States is entirely the result of a general belief that the British Government is not a unit in the desire to settle the question in an amicable way. It must be confessed that the many delays which have marked the whole of the proceedings of our government give but too much colour to the opinion."

In fact, a speedy decision was held to be of far more importance than the character of that decision. "The value of the disputed territory as property is of little consequence to us; the importance to us, even as territory, though far greater, has been very much overrated. Many political considerations would no doubt render it inconvenient to bring the American frontier so near to the St. Lawrence and to Quebec as a decision in favor of the utmost pretensions of the United States would bring it. The disputed territory, if in the possession of the Americans, would no doubt be filled in a short time with a host of speculators and lumberers, who would make a great profit out of the red pine forests. . . . But we very much doubt whether it would for a long time be the abode of a large population. The stream of New England emigration sets strongly towards the wide and rich regions of the Far West; and it will not be till after the extensive and fertile lands of New York, of Ohio, of Michigan, of Illinois, of Iowa, and even of the districts beyond shall have been more generally appropriated and occupied than they now are—probably not till after a large population shall have settled on the banks of the Oregon, and the general region that lies between the Rocky Mountains and the Pacific, that any great number of persons will feel it necessary to earn their subsistence amid the country that lies to the north of the St. John."

At about the same time as the magazine article from which these extracts have been taken, there appeared, in London, a booklet saying some startling things about the war with America which, to many, seemed inevitable. The anonymous author wrote:

"There is at present very serious danger that the pertinacious aggression of a small and not particularly successful portion of the great American Republic, backed by that unprincipled ambition and restless jealousy of England, which unpleasantly is so much a characteristic of the more thoughtless (and apparently more numerous) of the citizens of the Union, will force us, against the most earnest wishes and deliberate opinion of all that is respectable on both sides of the Atlantic, into that misfortune to civilization, to avoid which we have made so many sacrifices and suffered such insults, which we even now most certainly deplore—a war with America."

In the opinion of the writer the feeling between the countries was so intense that war seemed inevitable, no matter what the issue of the Aroostook difficulties:

"It is a melancholy consideration too that even the peaceful settlement of the Boundary Question would not ensure a desirable peace. There is a party in the States flushed with the unparalleled progress the country is making, eager to assume the sovereignty of the sea and the leadership of the civilized world, and believing it possible to do so, who look forward to a trial of strength with the mother country with exulting anticipation, and whose skirmishers have already appeared on the border."

A word of warning was spoken:

"It would be well if the Americans would be made to feel that a terrible disaster, which they do not yet fully understand, is menacing them, and would have to control that irregular ambition which will surely, sooner or later, bring its own punishment."

In another place the author had this to say:

"In the improbable event of a regular invasion of Canada, it may be well to recollect that the strength of the American regular army is 12,000 men (I am not certain that it has not been recently augmented to 15,000). That of these, 7,000 are engaged in an unjust and unsuccessful war with the Seminole Indians in Florida, as well as in an attempt to possess themselves of the land of others, and the rest are mostly in garrisons in western forts. Many of them are also British deserters. It is clear, therefore, that any invading army must consist mainly of militia, not only undisciplined, but who will not submit to discipline."

Then came a message that seemed to hark back to the days of General Braddock, when American soldiers taught

British regulars a lesson as to the best method of fighting Indians. Such tactics might be useful in our country, but in Canada "the system of tree fighting, so favorable to the Americans in their own country," would be "quite out of the question." It must be remembered that "they would have to debate the matter . . . with the British regulars, and the Lord have mercy on them. A finer body of troops than those now in Canada never took the field."

In the war the blockade was to be a weapon. How could our seven completed ships of the line, eleven frigates, and twenty-eight small craft, "with numbers of British seamen on board," hope to cope with the seventy-five steam vessels of England, of which twenty-five exceeded 700 tons?

The results of the blockade would be terrible: "When bale after bale of cotton has accumulated in the Southern States, till the owners' eyes ache with looking at them, and post after post brings news from Egypt and the East of the increasing production of that article till it became a doubt whether the return of peace will bring back trade to the Mississippi"—then the war would be won.

The final word of counsel was frank, to say the least:

"If America will teach us a lesson of self-government, she must first learn that of self-restraint, and if, with all the ruin and desolation staring her in the face, she will persist in wrongfully forcing us into a quarrel on a point upon which we cannot yield, the consequence must be on her own head; and if the image of gold and silver, and brass and iron, and clay, which she has set up and christened with her own name, and worshipped, has broken to pieces in the shock, we at least are not to blame."

With a characteristic appeal to his countrymen, the author concluded:

"And now let those who shrink with an unreasonable timidity from employing the gigantic strength which God has given us, for the good of mankind, in asserting our just rights and our national honor, think upon these things."

Thus matters stood when, in 1841 Daniel Webster became Secretary of State in the Cabinet of President Harrison, and, later, in that of President Tyler. It was his opinion that it would be well to settle the controversy by the choice of a conventional and abiding line; and to cease quibbling about the meaning of words and phrases in the original treaty.

His ideas were warmly received in Great Britain, and very speedily it was arranged that Lord Ashburton should come to America charged with the task of reaching an agreement with Webster. The thought that these two men were to attempt to resolve the difficulty proved popular in America. Surely Webster would have the interests of his country in mind. And since Lord Ashburton had married a daughter of William Bingham, a prominent Philadelphia citizen, perhaps America would be able to count on his sympathy.

On April 11, 1842, President Tyler sent to the Governors of Maine and Massachusetts a letter telling of the arrival of the English commissioner. The suggestion was made that they co-operate in settling the controversy of such long standing by appointing commissioners to confer with like commissioners from Nova Scotia. The Governors acted on the suggestion, each by authority of the legislature of his State.

It was not long until a satisfactory line was decided on. This line gave to the United States nearly a thousand square miles less than the award made by the King of the Netherlands eleven years before. Maine consented to the treaty embodying the findings, which was concluded on August 9, 1842.

Maine was made less unwilling to agree to the compromise by the promise of the United States to pay all expenses incurred in the bloodless war, and by the agreement to give her $150,000 in lieu of the land yielded up north of the St. John River. Speaking in the United States Senate four years later, Webster said of the award that it was "a sum which I suppose to be much greater than she would have received for the sale of it in fifty years."

The great American statesman proposed to put the best possible light on the settlement. For, to his comment on the value of the land, he added the statement, after speaking of the agreement to allow to Maine free navigation of the St. John: "I will undertake to say that, for all purposes of human use, the St. John is worth a hundred times as much as the Columbia is, or ever will be."

Naturally, there was criticism of Webster on the part of Maine people and those who sympathized with them. It was declared that he had betrayed his country. But he had a decisive reply to such charges; in fact, he refused to own that they were made seriously. In the United States Senate, on April 7, 1846, he delivered one of those ringing speeches that made him famous:

"Maine, it has been said, was persuaded to part with a portion of territory by this agreement. Persuaded? Why, sir, she was invited here to make a compromise—to give and to take—to surrender territory of little value for equivalent advantages; of which advantages she was to be the uncontrolled judge. Her commissioners needed no guardian. They knew her interests. They knew what they were called on to part with, and the value of what they could obtain in exchange. They knew especially that on one hand was immediate settlement; on the other, ten or fifteen years more of delay and vexation. Sir, the piteous tears shed for Maine, in this respect, are not her own tears. They are crocodile tears of pretended friendship and party sentimentality. Lamentation and griefs have been uttered in the Capitol about the losses and sacrifice of honor, which nine-tenths of the people of Maine laugh at. Nine-tenths of her people, to this day, heartily approve the treaty. It is my full belief that there are not, at this moment, fifty respectable persons in Maine, who would now wish to see the treaty amended."

The British commissioner, too, found it necessary to say something to justify his conduct to countrymen who spoke of the treaty as "The Ashburton Capitulation." On his return to England he is reported to have said:

"The truth is that our Cousin Jonathan is an aggressive, arrogant fellow in his manner. By nearly all our people he is therefore hated, and a treaty of conciliation with such a fellow, however conceded by prudence or policy to be necessary, can in no case be very popular with the multitude. Even my own friends . . . are somewhat afraid of showing too much satisfaction with what they do not hesitate to approve."

It is interesting to note, then, that in 1885 Sir Francis Hincks, in a published lecture, declared that both Lord Ashburton and Daniel Webster discharged their duty conscientiously. Thus he put himself in opposition to the opinions of many in Canada—for instance, the author of the lecture, "How Treaty Making Unmade Canada," and the distinguished public man who said, "All that could on any pretense have been given away by England on Canada's behalf to satisfy our grasping neighbours has been given." Hincks declared that both countries should revere the memory of these men, for they made a compromise that saved both from war, which was the only alternative.

When Miss Martineau wrote her *History of England,* she said of the treaty: "The agreement gave seven-twelfths of the disputed ground, and the British settlement of Madawaska, to the United States, and only five-twelfths of the ground to Great Britain, but it secured a better military position to England, and it included the heights commanding the St. Lawrence which the award of the King of Holland had assigned to the Americans. The best testimony of the equality of the arrangements was the amount of discontent among American politicians being about equivalent to the discontent in England. But in both countries the vast majority were satisfied and grateful."

In similar vein wrote Otto Klotz of Berlin, Ontario. Speaking of the treaty of 1783 and the definition of the northeastern boundary, he said:

"Great Britain now occupied the frontier, as far as territory is concerned, that France formerly occupied; and the United States the position that Great Britain had occupied at the time of the treaty of Ryswick. Is it not very natural, most natural, that the United States claimed as their northeast boundary the very same boundary line that had been specified, although vaguely, we admit, in the charter to Sir William Alexander in 1621, a boundary line that runs up the St. Croix to the remotest spring to the west, and that is, broadly speaking, our boundary line today. . . . The point that it is desired to make here is, to correct the very common and erroneous idea among Canadians, that if it hadn't been for the stupidity of some British official or officials, the greater part of Maine would not have been lost to us. Utter nonsense! We never had any claim to Maine or the province of Massachusetts Bay, of which it originally formed a part.

"We may speak well of the labors of Lord Ashburton, for we got more than we were entitled to."

In like manner, W. F. Ganong, in writing of the boundaries of New Brunswick, declared:

"The few New Brunswickers of the present who have examined the original sources of information have come to the conclusion that in the question of the northwest angle Maine was technically right and New Brunswick wrong, and that the Ashburton treaty took from Maine and gave to us a great territory to which we had not a technical right."

Spoken like a true Briton!

CHAPTER II

THE LITTLE WAR ON NEW HAMPSHIRE'S NORTHERN BOUNDARY

ONE of the strangest governments in the history of the United States was that of "The United Inhabitants of the Indian Stream Territory," in the extreme northern end of New Hampshire.

The story of that little republic goes back to the treaty of 1783, which provided that the boundary line was to proceed along the highlands—the same highlands which led to the Aroostook War—"to the northwesternmost head of the Connecticut River."

Once more what seemed the plainest sort of statement caused confusion and debate that lasted for more than half a century. The confusion was due, in part, to lack of real knowledge of the country divided on the part of those who gave counsel to the commissions responsible for the treaty. This ignorance—so Meade points out in his *History of New England*—can be understood when it is realized that the Indians themselves supposed New England to be an island.

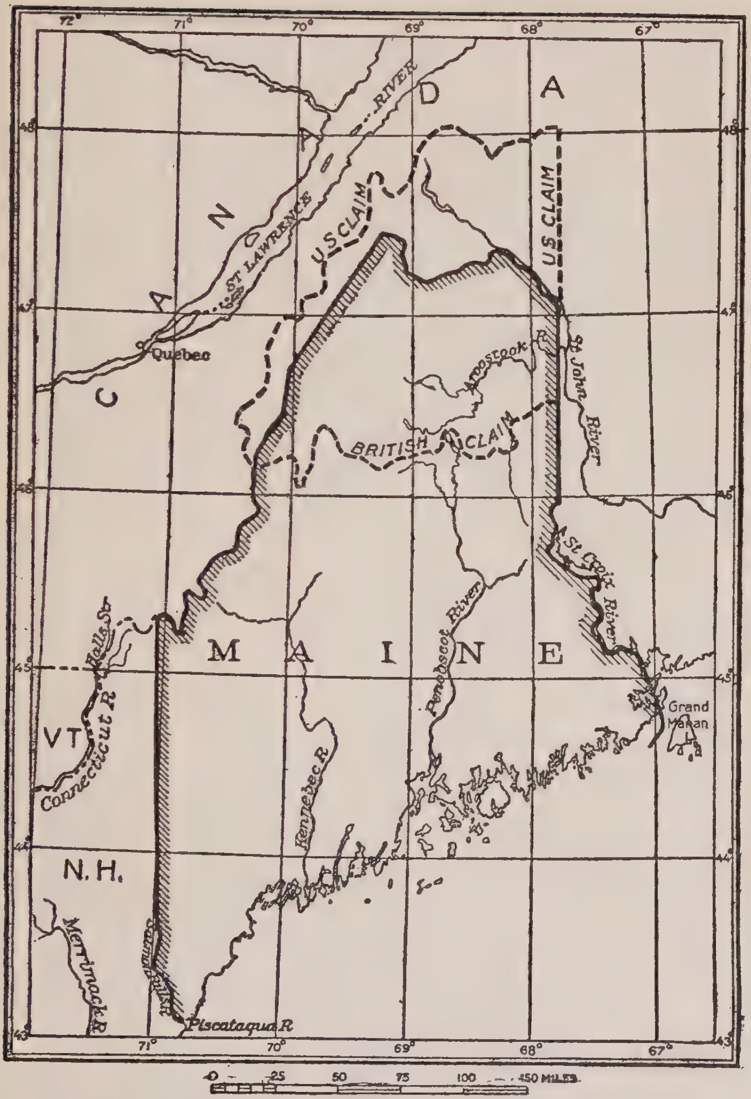
A local historian of New Hampshire calls attention to a curious illustration of this ignorance in an old textbook. "In *Geography Anatomized,* by Dad Gorn, which was in its twelfth edition in 1730, the whole Atlantic coast from Carolina to the polar circle is called 'Terra Canadensis,' and is divided into north and south by 'the river of Canada.' " New England is said to be bounded on "the West by *terra arctica,* and on the North by Acadie—Nova Scotia." Terra arctica is described as "all these northern countries lying either entirely or mostly within the arctic polar circle." No wonder the geographer said that the country was but "slenderly known and not to be described like the 52 counties in England."

Neither the commissions of Great Britain nor those of the United States knew what they meant when they described the boundary between Quebec and New Hampshire. But when it came to interpretation of the treaty, Great Britain declared that the only stream to be considered as "the Northwesternmost head" of the Connecticut River was the stream bearing the name Connecticut, and the only river fulfilling the conditions was "a small brook running into a small lake, being the third and upper one in the main branch of Connecticut River."

For the United States the claim was made that the middle branch of Hall's Stream was the northwesternmost head.

Great Britain said that it was impossible to consider Leach's Stream, Hall's Stream, Indian Stream, or Perry's Stream, since not one of these was the Connecticut River, so called. They said that the main river Connecticut retains its name and comparative volume far above the junction with Hall's Stream and Indian Stream—indeed, as far as Connecticut Lake. The spring head of the most northwest water which finds its way into Connecticut Lake was that in the minds of the treaty-makers.

The arguments were continued for many years. At the time of the Treaty of Ghent in 1814 the controversy was still in its early stages. C. A. Van Ness, one of the commissioners appointed under that treaty, quoted British opinion in what seemed to him a rare gem of diplomatic



MAP OF MAINE, SHOWING CLAIMS OF THE UNITED STATES AND GREAT BRITAIN, WITH COMPROMISE LINE argument. He spoke of the line from the highlands to the head of the Connecticut:

"Thence down along the middle of that river to the 45th degree of North Latitude. (What river?) There being but one river known by that name, the only river thus eminently called and known by that name must of necessity be the river here intended. Will it—can it be contended that Perry's Stream is the Connecticut River eminently so called? Or that Indian Stream is the Connecticut River eminently so called? Or that Hall's Stream is the Connecticut River eminently so called? Or that the west branch or the middle branch of Hall's Stream is the Connecticut River eminently so called? Or that Leach's Stream is the Connecticut River eminently so called? Neither of these questions can ever be answered in the affirmative."

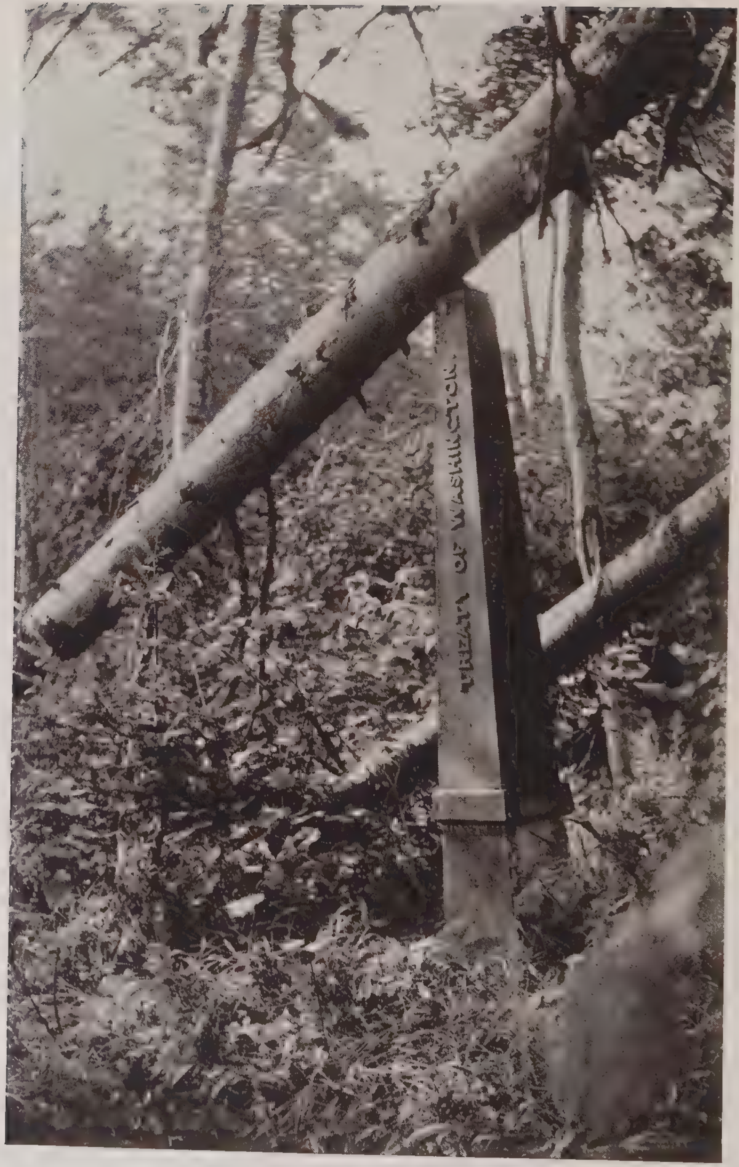
Those who favored the contention of the United States were not behind the British in playing with language. They insisted that the very fact that the branches of the river so completely ignored in the arguments of Great Britain were called streams, not rivers, was evidence conclusive that they were designed to be distinguished thereby from the main stream:

"Can the position then be supported that we must follow up the main stream of the Connecticut River, the course of which is eastward, through two lakes into a third, and then take a small brook, less than eighty rods long, as the northwesternmost head of the Connecticut River intended for the boundary line between the two nations?"

One of the dependences of the United States was the survey of 1789, described in Belknap's *History of New Hampshire,* which includes a map based on that survey of the boundary between New Hampshire and Quebec. "The northeastern extremity of the boundary line is a birch tree, marked 'N. E. New-Hampshire, 1789.' The line extends

PACK TRAIN OF THE BOUNDARY SURVEYORS

MOUNTAIN LAKE, NEW HAMPSHIRE, NEAR THE BOUNDARY



MONUMENT SUPPORTING TREE WHICH HAS FALLEN ON IT,
NEAR HALL'S STREAM

along the high lands, seventeen miles and two hundred and seven rods, to the head of the Northwesternmost branch of Connecticut River; at which extremity is a pine tree, inscribed 'N. H. N. W. 1789.' Thence the boundary diverts to the forty-fifth degree of latitude, along the middle of the Northwestern branch, which then unites with the southeastern or main branch of the river."

There were years when no one objected very much to the delay in settling the question at issue; the several hundred thousand acres in the region were wild and remote, and their settlement was thought a matter to be long delayed.

But not many years after the treaty which started the difficulty word came to some venturesome men who lived farther south that there were, at the headwaters of the Connecticut, lands whose fertility was remarkable for that country. The message was given by two adventurers who had tramped through the country on their way to Canada.

So, about the year 1790, perhaps a dozen farmers from Grafton County sought these new lands, and made a little settlement in the valley of the Indian Stream. There they remained in some comfort until, during the War of 1812, Indians drove them away.

But danger does not dismay the real pioneer, and many returned, bringing others with them. By 1820 there were probably fifty families in and near the Indian Stream. Some of them were attracted to the country by the lure of adventure, while others were real patriots; they felt that the best way to prove their belief in the rights of the United States to the country was to have there a company of loyal citizens. Among these the dispute as to the territory was much more discussed than it was by leaders at Washington. With them it was the livest sort of live issue, and they wondered how those in authority could seem to let it die.

The settlers secured title to their lands from proprietors who had bought them from an Indian named Philip, chief of the St. Francis Indians. He claimed as the possession of his people the land between the Connecticut and the Ammonoosuc, the Plumpelussuck, the Androscoggin, and the Umbagog lake, extending north to the St. Francis River region, and from there to the Connecticut River.

There was registered in Grafton County a curious deed, signed by Philip, "Indian Chief, Native of America," Molly Merrill, and Mooseleak Sussop. This deed is remarkable for the long sentence in its preamble. This, in part, told of the sale of the lands—

"With the following conditions and reservations, namely, that I reserve free liberty to hunt all sorts of wild game on any of the foregoing territories, and taking fish in any of the waters thereof for myself, my heirs and sucksesors, and all Indian tribes forever, also liberty of planting four bushels of corn and beans; and then my trusty friend Thomas [Thomas Eames of Northumberland] having given me security to furnish him and my squaw with provisions and suitable clothing which I accepted in full. . . ."

The New Hampshire legislature refused to recognize the right of Philip to sell the land, or of the purchaser to hold it or transfer it. So, after investigation in 1824, they declared titles forfeited, but agreed to give title to the pioneer settlers, as recognition of the hardships they had undergone. Most of the fifty-eight inhabitants they found were given two hundred acres each, though to two of them much more land was given.

A few years later, in 1829, came the decision of the King of the Netherlands which gave to Canada all of the disputed lands of the Indian Stream territory. When the award was rejected, on the ground that it was not according to the treaty, there was much rejoicing among most of the pioneers. There were a few of them who hoped to see Canada given title to the region, but they were in the minority.

Both New Hampshire and Quebec asserted authority over the Indian Stream country, but this was done in such a half-hearted manner, and there were so many vexations in connection with the lax administration of the territory, that the pioneer settlers decided to do something for themselves. Why not have a government of their own, "to prevent anarchy and disorder"—a sort of provisional government that would function until the boundary dispute should be settled?

On July 9, 1832, by a vote of 56 to 3, a constitution was adopted by "the United Inhabitants of the Indian Stream Territory." The form of government was patterned after that of the United States and of New Hampshire. But the Preamble was most original, certainly as original as it was involved. It is of interest if only because it shows how long the pioneers could hold their breath:

"Whereas, we, the inhabitants of the tract of land situated between Hall's Stream and the stream issuing from Lake Connecticut being the tract of country near the bed of Connecticut River which is claimed by the United States and Great Britain respectively and generally known by the name of Indian Stream, are deprived of the protection of the laws of any government but that of our own until such time as the boundary line between the two governments shall be established, and the time in which that will take place is to us unknown, and whereas it is our ardent desire to live in peace, harmony, and good order, and considering that these good objects cannot be fully enjoyed without some wholesome rules, regulations, and codes of laws, and considering it the inalienable right of all people situated as we are wherever in the course of Providence their lot is cast and a privilege which they are in duty bound to improve to strive by all Commendable Means to take and adopt such measures as shall be best calculated to provide peace and good order in society among these settlers while in the present state, as well as to prepare them for useful citizens should they hereafter become a constitutional part of some other government, and whereas it has been the custom of the inhabitants of this place to meet from time to time and pass such votes and by-laws as they deem necessary for the support of order without annexing penalties to enforce them, and as the population and improvements have considerably increased, and considering the great importance of making provision for the benefit of the rising generation, of adopting and enforcing laws on a more permanent basis for the support of schools and other public improvements and maintaining and supplying good order in society."

There is the first chance to breathe in reading this most unusual document!

The preamble is not finished yet. It goes on to say: "And believing that the time has now arrived when we must as a body politick make and enforce laws sufficient to protect and defend the different members of the community, and redress grievances and adjust the disputes and controversies, which occasionally arise among them, or they will assume the rights of individually redressing their own grievances and avenging their own injuries. . . ."

There was more to the preamble, but enough has been given. And when the preamble was concluded, the constitution was added in detail.

This remarkable document, the product of rugged, courageous pioneers, men of more energy than education, showed that they had the ability to forecast the needs of the community for which they planned. Note Article XIII, for instance:

"Man being originally formed by his Creator for society and social intercourse, and for mutually aiding, assisting and defending each other, and promoting their welfare and happiness, . . . all societies of men placed by circumstances of fortune without the jurisdiction or control of any other society or government, have a right to unite together and institute such government for the regulation of their society as they deem most conducive to the general good, and when a large majority of the people so situated unite together and establish a government, the minority of right ought to submit to the majority and be controlled by them."

Could that have been better stated if the majority had been numbered by thousands, instead of by a few tens?

The second part of the constitution described in detail the form of government, including the council and assembly which were to meet in March each year, and be called "The General Assembly of Indian Stream." Courts were provided, and plans for furthering education were outlined.

One of the first acts of the new government was to make overtures to Maine, looking to the construction of a road by which farm produce might be taken from the Indian Stream to markets in the neighboring State. And it is of interest to note that, as some have claimed, when produce was taken for sale out of the territory—as into Vermont and New Hampshire—the federal authorities compelled the farmers to pay duty. Why not, since they belonged to a foreign government?

For nearly three years the Indian Stream Assembly continued to function. Its last recorded act, passed on April

18, 1835, looked to the extradition of men accused of crime who escaped to other jurisdictions. At the same time it was directed that, if legal process was served on Indian Stream citizens who claimed to be officers, when they were not officers under the constitution and laws of the Indian Stream, they should be arrested and punished.

The chief reason for the adoption of the latter provision was that, for some years, a Canadian magistrate in near-by Quebec had been making himself obnoxious by asserting his authority over Indian Stream men.

In the meanwhile both New Hampshire and the federal authorities had been showing increased interest in the fortunes of the men who claimed independence. Taking note of this fact, a memorial was sent, in 1834, from the Indian Stream to the Attorney-General of the United States, arguing that the territory, if in the United States, was not in New Hampshire; therefore it was a territory of the United States. To this came the reply:

"If you are within the limits of the United States, as has always been maintained by the government, it is because you are within the limits of the state of New Hampshire."

On the day when the message of inquiry was forwarded to Washington, a letter was sent to the Sheriff of Coös County, New Hampshire, who had been showing signs of activity among the Indian Stream people, asking him to suspend the exercise of jurisdiction, "until such time as we can obtain an answer from the United States Government whether the boundary line has been settled . . . and if so if we are considered as belonging to New Hampshire."

A neutral attitude was shown by sending a message to the Governor of Lower Canada, asking him "to take our case under your wise consideration, and grant us such relief as you in your wisdom shall judge proper and just." Then the significant words were added, "For we expect new invasion."

New Hampshire did not propose to permit the men who claimed independence to escape the authorities of that State. For, on September 18, 1834, the chief justice of the State sent word to the sheriff of Coös County:

"It will be the duty of courts to enforce the laws co-extensively with the territory the State claims. Perhaps your wisest course would be to take the advice of the executive and follow that. I trust nothing will be done that may lead to violence and bloodshed."

By this time there was a division among the people who had been so largely of one mind. Canada had its partisans among them, while New Hampshire claimed some. Others insisted that the government was that of an independent United States territory. But most of them remained faithful to the independent Indian Stream Territory, "agreeably to our oath until we know to what government we properly belong." Then, they agreed, their constitution would be at an end.

In Canada there was evidence of purpose to claim jurisdiction over the territory. Efforts were made to serve processes in Indian Stream; to Canada it was the township of Drayton. It was even said that steps had been taken in Quebec to organize battalions to back up claims of jurisdiction.

New Hampshire was not slow to take further action. In response to a message from Governor Badger, sent in June, 1835, the legislature declared: "The State of New Hampshire should continue the possession of the Indian Stream Territory, and maintain the jurisdiction of the State over the same," until the dispute should be settled. More, the Governor was instructed to give any assistance needed by the Coös County officials, in the assertion of their authority.

As a consequence of the legislative action, Governor Badger ordered the colonel of the 24th regiment to proceed toward the disputed ground. He encamped, with his men, at Stewarts Town, in August, 1835. In the following November a detachment of the regiment was sent into the territory, to hold it by force. This was in consequence of the escape to Canada of a prisoner who had been arrested by Coös County in Indian Stream bounds. The escape was made possible, it was said, by help from Canada.

When armed men came from Canada, to serve a paper on a citizen of Indian Stream, they claimed to be acting under the authority of "the king." The man arrested by them was rescued.

A party organized in Indian Stream crossed into Quebec, with the intention of retaking the prisoner who had escaped to Canada. The result of this raid was the arrest of a Canadian magistrate who, however, was released soon after he was brought to the Indian Stream.

Naturally, complaint followed from the Captain General of Lower Canada to the British *chargé d'affaires* at Washington:

"It has become my duty to communicate to you the details of an outrage of very grave character which has recently been committed within the undoubted limits of the province by an armed body consisting principally of citizens of New Hampshire. . . ."

With his protest he sent also to Washington the report of a commission sent by him to investigate conditions in the Indian Stream. This commission reported: "The Territory is now in the possession of a body of New Hampshire militia consisting of fifty men under the immediate order of James Mooney." It was further related that in the course of the commission's progress through the Indian Stream country it was stopped in the highway by a military guard, "who, at the point of the bayonet, ordered us to stand and would not permit us to pass, although made aware of the authority under which we were acting."

It was of this period that McClintock's *History of New Hampshire* told:

"In the year 1836 Congress voted to distribute about $36,000,000 of surplus revenue then lying in the Treasury, among the several states. These millions had accumulated from the sale of public lands, and they were still increasing. . . . General Jackson told his party that the money was a source of danger to the liberties of the country. The Democratic party in those days was hostile to all internal improvements. . . . The money was to be distributed in four installments, three of which were paid when an angry cloud hovered over the northern border, threatening war with England, and the fourth installment of seven millions was retained to pay the expense of transporting troops to Maine, to Niagara, and to the Indian Stream Territory in northern New Hampshire."

Perhaps the historian was not entirely accurate in all his statements, for no United States troops were sent to the Indian Stream country, even if the situation did seem to be acute.

But only for a time. Suddenly the clouds vanished. Troops were removed, for Canada gave assurance that there would be no attempt to interfere with the jurisdiction of New Hampshire until the decision was made as to the ownership of the region in dispute.

That decision was made in 1842. By treaty the United States became possessor of the fertile acres desired, for

Hall's Stream was decided on as the "northwesternmost head" of the Connecticut River.

Naturally New Hampshire took pains to speak in praise of Daniel Webster, who was there given as much credit as some people in Maine awarded him blame, because he did not succeed in winning from England all the territory that state thought herself entitled to. Edgar Aldrich, speaking before the New Hampshire Historical Society, voiced the praise of the Senator's native state when he said:

"It may be safely assumed that Mr. Webster, a native of New Hampshire, loving his people, and knowing and loving her rivers, lakes, and hills, and the great highway, having its source in her highlands, flowing bravely through the valley of the State of her adoption, prompted by love for his native State and his vision of the national importance of the great river . . . brought to the support of New Hampshire's claims, and the contention of the federal government, all his energy, and all the power of his persuasive eloquence."

Again he said: "We must remind the historians of Maine that if that state through the negotiation lost a little by Lord Ashburton's diplomacy, Webster at least held his own in respect to the boundary upon the Connecticut waters which were the northern boundary of New Hampshire."

That does not sound as if New Hampshire thought the story of small importance. What if there were only a hundred votes in the Indian Stream territory? What if there were less than five hundred inhabitants? What if the area was only about 200,000 acres? The story is told with as much gusto as if the inhabitants numbered millions and the territory in question was as large as Texas!

Ask about those days of the right people in the town of Pittsburg, which succeeded the Indian Stream territory in 1843! With true Yankee shrewdness they will probably tell you that one of the most satisfactory features of the settlement was the reply made by the United States to the argument set forth in 1836 by the New Hampshire legislature, that the expense incurred in the course of the problem was a proper charge on the national government, since it was incurred in defending the territory against a foreign government. That reply was quite deliberate; Congress did not make provision to pay the bill until 1849. But the important thing is that it was paid because an international dispute was involved.

CHAPTER III

IN THE COUNTRY OF "FORT BLUNDER"

"WHAT is that odd-looking building on the point to the north?" was the query of a passenger on the train from Burlington, Vermont, to Rouse's Point, New York. For two hours he had been reveling in the wonderful scenery spread out on either hand as the railway plunged across the waters of Lake Champlain or skirted its beautiful islands. Then, while crossing the mile-long trestle that reaches between Alburgh, Vermont, and Rouse's Point, his attention was held by a fort near the mouth of the River Richelieu, where he had not expected to see such a structure.

"That is Fort Blunder!" the conductor told him.

Fort Blunder is a nickname. Fort Montgomery is the more dignified and respectful appellation. But the nickname was as appropriate as the story is unusual.

In 1816 Colonel Totten, in carrying out a commission to select a site for a fortification that would enable the United States to command the waters of the Richelieu River and of Lake Champlain, fixed on the jutting peninsula above Rouse's Point. An admirable location! The authorities agreed with him. Some thirty thousand dollars were paid for the site and the erection of a sturdy building was begun. About one hundred thousand dollars—a large sum for those days—had been expended before the discovery of the disconcerting fact that the fort was being erected on Canadian soil! The real boundary line was nearly a mile south of the site!

It seemed wise for the astronomer who discovered the truth to keep silence concerning the facts, for fear of a local uprising. But soon it became necessary to let the facts become known, not only to the authorities, but to those who lived in the neighborhood. Then there was pandemonium. How had it been possible to make an error of 4,326 feet, when an error was freighted with such consequences?

The explanation of Colonel Totten, that he had relied on the observations of his assistants, was hardly satisfactory. His words did not ease the mortification felt by Americans as they read of the incident, or the wounded pride of the residents as they looked out on the unfinished walls frowning above the waters of the Richelieu. For, of course, work on the fort was discontinued as soon as the discovery was made. Twenty-four years were to pass before the masons once more began operations.

But because it was thought of so much importance to have a fortification that commanded the approach to the lake, engineers were commissioned to examine the waters and make a recommendation for the location of a possible new fort. After careful investigation the engineers told of two spots, Windmill Point, on the northeast side of the lake, and Stony Point, on the west. Why not fortify both? Yet it was decided that neither location was satisfactory; a fort built there could not begin to do what the fort above Rouse's Point could do. Guns mounted there would be able to sweep any vessel entering or leaving the lake. Even if forts should be built on both the substitute points selected, a vessel could pass between them and be out of the limited range of the guns of that day.

The story of the error that threatened to lead to unpleasant consequences went back more than a century. The forty-fifth parallel of north latitude was recognized as a boundary in the days of the grant by the Dutch government of territory between the fortieth and forty-fifth parallels.

At that time, then, the line was the boundary between the Dutch and the French. And when the English displaced the Dutch on the south, and, later, the French on the north, the same line was retained—though when France was the neighbor on the north there was less desire to stop at the parallel of 45° than there was later. Perhaps this was the reason for the indefinite statement made by Governor Andros, in 1678, that the boundary went "north to ye lakes and ffrench."

In 1738 Cadwallader Colden, Surveyor-General of New York, wrote to the Governor of the Provinces:

"I know no Regulation for Determining the Boundaries between New York and Canada—Its probable each will endeavour to extend themselves as far as they can. The French have lately made a wide step, by building a Fort at Crown Point, which alarms the English colonies by its being a Pass of great Importance. By the Pass there is access to Canada from the English Colonies, from there the French will be able, in War time, to send on parties to harass & plunder the Colonies of Massachusetts Bay, New York, & Connecticut. The Building of this Fort deserves the more notice by reason, it is not half the Distance from the settlements in New York, that it is from the nearest settlements in Canada. . . . If we are to Judge of the Pretences of the French by the maps lately published in France by Publick authority, they not only claim this part of the country and the countries of the Five Nations, in New York, but like wise a considerable part of what is actually settled by the Inhabitants of New York."

Colden indicated that the British could hardly expect to hold their own against the French, since "the English maps are such servile copies of the French that they make out the Boundaries between the English and the French, with the same Disadvantage to the English, that the French do."

Came the day in 1766 when Governor Moore of New York sent word to the Governor of Quebec, suggesting that it would be as well to locate the forty-fifth parallel, since this was the boundary agreed on between the nations. Governor Moore said that he was going to the Mohawk country for a conference with the Indians; he thought this would be a good opportunity for Governor Murray to meet him at the mouth of the Richelieu River. Together they could "endeavor to obviate any disputes which [may] arise in future." To make sure that the work of locating the line was done correctly, he would take with him "the mathematical professor of the college here, and a very fine instrument now in his possession." Moreover, "every observation made" was to be "in the presence of several Gentlemen of Fortune in the Province who have promised to attend me in this troublous expedition."

In the absence of Governor Murray in England, the Lieutenant-Governor, Guy Carleton, kept the appointment, taking with him the deputy surveyor of Quebec.

But when the surveyors, working independently, made known the results of their observations, it was discovered that the professor of mathematics had placed his line five or six miles further south than the representatives of Quebec. It has been pointed out that "this was rather odd, for in each case the man made his own province smaller than did his adversary—an occurrence which is perhaps unique in the history of boundary disputes." The agreement was just as surprising, for it was decided to adopt the line of the Quebec surveyor, because his instrument was thought to be the more accurate. Accordingly, the all-important parallel went north a few miles farther than had been expected.

An official Order in Council, on August 12, 1768, confirmed the location of the line, and at the same time ordered that it should be extended eastward to the Connecticut River. In this way New York (Vermont) was robbed temporarily of the panhandle which was to cause so much trouble in later days.

It was 1771 before the order to extend the line eastward was carried out. In that year John Collins, deputy surveyor-general of Quebec, met Joseph Smith, of New York, on the shore of Lake Champlain. Before the approach of winter put a stop to operations, they surveyed the line for twenty-two miles, or nearly halfway to Lake Memphremagog, which later surveys showed was cut by the boundary.

Lawrence Shaw Mayo, in telling the story of the work, says:

"The bill for 'sundrys' is an interesting document. It totals £146 6s. 6½d. Of this amount the men's wages were £51 3s. A 'Quarter Cask of Madeira' was £16; 'Mr. Morrison's bill for Rum and Wine' was £10 7s. 4d.; six gallons of French brandy were £2 8s.; and they 'paid the Cooper for Kegs and drawing off a Cask of Wine at Quebec' £1 1s. 7d."

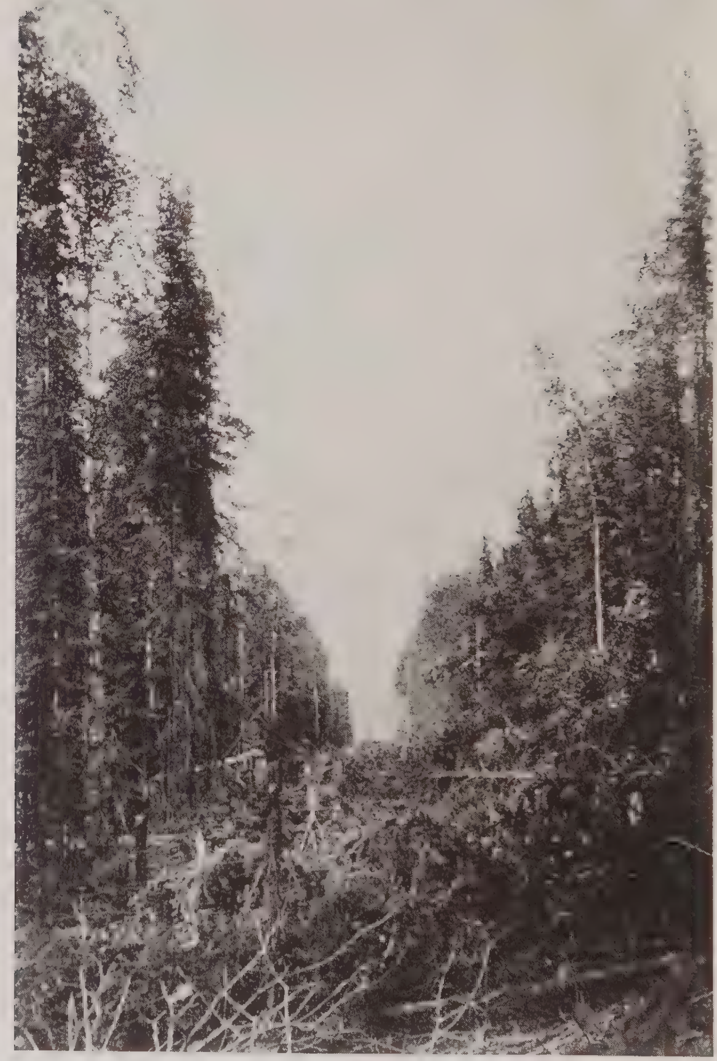
Then the account of their activities is concluded by Mr. Mayo, "Yet some have marveled that the line they surveyed was so far from straight!"

An examination of the present-day boundary will show the justice of the contention, at least so far as the departure of the line from the horizontal is concerned.

It was desired to complete the work as soon as possible. The governor of Quebec, a newcomer from England, who was unacquainted with the climate, was hardly willing to

LAKE MEMPHREMAGOG, NEW HAMPSHIRE
(THE BOUNDARY LINE CROSSES THE LAKE)

FORT MONTGOMERY, ROUSE'S POINT, NEW YORK
("FORT BLUNDER")



A BOUNDARY VISTA THROUGH THE FOREST

wait for the spring of 1772; he wanted the surveyor-general of New York, with his assistants and attendants, to be on the line on March 1, ready to resume the task. The surveyor-general of New York showed knowledge of the bitter climate of the boundary, even if he did not give evidence of diplomacy, when he replied:

"As I have had several attacks of the Gout, not only in my feet but likewise in my stomach, and dayly find symptoms of it hanging about me, I have great reason to be aprehensive that travelling and lying in the woods in the cold months of February and March might bring a severe fitt of that disorder upon me which would not only retard the Service but would endanger my life."

So Thomas Vallentine was chosen as a substitute for the victim of gout. His instructions were to run the line with care; he was "to blaze the Trees on the East and west Sides as you pass along Cuting down only such Trees as stand directly in the sight of the Compass and at the Distance of every three miles lying together in large heaps of stone, and cutting a few knotches on the Trees nighest each pile of Stones."

What a treat it would be to read a diary of the expedition of that second season! The brief reports that have come down to us tell of breaking through the ice, travel in water covering the melting ice, and fighting impassable streams.

What was considered more important than a detailed account of difficulties was the statement of the completion of the task, in September, 1772, when the company reached the Connecticut River. Their chief trouble in the latter stages of the survey was the fact that the Abenaki savages "were much displeased." They said their hunting-grounds were encroached on. Their anger was shown when they "pull'd down a Post that had been erected on the east bank of Lake Mamraatagak" (Memphremagog).

During the following year a substitute had to be procured for Vallentine, New York's representative; as Joseph Smith had yielded his place, because of the gout, to Thomas Vallentine, so Vallentine sought delay because of "a Billious complaint, attended with a Choke in my Bowels. . . ." It was decided that the boundary could not wait on the colic, any more than on the gout. Therefore a surveyor named Sauthier became New York's agent in running the line westward from Lake Champlain. At the end of the season, the parallel was located to within ten miles of the St. Lawrence.

Perhaps Quebec's representative was fearful that, in the following year, Sauthier might develop a complaint. So he proposed that he be permitted to run the line the remainder of the distance, for a payment of £100. Governor Tryon of New York agreed that the man who made the proposal was a gentleman in whose integrity he could confide; therefore he accepted the offer. So in 1774 the line was fully completed from the St. Lawrence to the Connecticut.

The year 1774 witnessed less satisfactory events in the history of the boundary. The British House of Lords passed the Quebec bill, which fixed the boundary to the south. Edmund Burke did not like the bill, and he insisted on an amendment in the interest of New York. Even as amended the bill was, in the words of the Earl of Chatham, "a most cruel, offensive and odious measure . . . one that should shake the affection and confidence of his Majesty's subjects in England, and Ireland, and finally lose him the hearts of all the Americans."

In a letter to the Committee of Correspondence of the General Assembly of New York, dated August 2, 1774, Burke, who represented that Colony at the Court of St. James's, told of his complaint to the Board of Trade that the bill was unfair to New York, while it favored Quebec. But he was told "that in questions of boundary, when the jurisdiction and soil of both the litigating provinces belonged to the Crown, there was no rule but the King's will, and that he might allot as he pleased, to the one or the other"; that "even when the King had actually adjudged a territory to a province, he might afterward change the boundary; he might even erect the territory into new provinces, at his discretion, as he had done in the case of Carolina, out of which had come South Carolina and Georgia."

It had been Burke's hope to fix the south boundary of Quebec with certainty; his complaint was that it was not so fixed. It was his fear that, if the southern boundary was not fixed definitely, some day it might be put "at the very gate of New York, perhaps in the very town itself, and subject that colony to the liability of becoming a province of France."

The fears of Edmund Burke proved groundless. The Quebec bill did not rob New York. The forty-fifth parallel continued to be looked upon as the boundary to the north; and when the treaty of 1783 followed the Revolution, it was cited as the line to be followed.

In 1796 fears were expressed that the forty-fifth parallel had been placed too far to the south. In 1806 an investigation in behalf of the United States prepared to show that the line was so far away as to rob Vermont of more than 400,000 acres. And in 1807 the Canadian surveyor-general gave it as his opinion that the line was too far north.

So matters stood at the time of the making of the Treaty of Ghent. Was there anything to do but to determine that the line had not yet been found?

Now the story has come to the time of the fixing of the site of Fort Montgomery and the building of the walls, and the discovery that the fort was nearly a mile within the limits of Canada!

In 1829, when the King of the Netherlands made his report as arbitrator of the dispute as to the northeastern boundary, his verdict was for the forty-fifth parallel from the northeasternmost source of the Connecticut to the St. Lawrence, but he expressed his opinion that the boundary should be defined "in such a manner, however, that in all cases, at the place called Rouse's Point, the territory of the United States of America shall extend to the fort erected at that place, and shall include said fort."

The solution suggested fell by the wayside; the award was not ratified by the Senate. Fort Montgomery was still an orphan.

Perhaps this was just as well, for the plan called for a jog in the boundary, so as to include the site of the fort.

The treaty of 1842 cared for matters in a much better fashion, a fashion that showed the readiness of Great Britain to make a generous concession. The line was to follow Hall's Stream until it reached "the old line of boundary surveyed and marked by Vallentine and Collins, previously to the year 1774, on the forty-fifth degree of north latitude, and which has been known and understood to be the line of actual division. . . ."

There was joy in the United States when the decision was announced. Daniel Webster, in a reply given in the Senate on April 7, 1846, spoken for the benefit of those who had attacked the Treaty of Washington, which made the concession, said:

"I do believe it was an object of importance to repossess ourselves of that fortress. . . . The cession of Rouse's Point by her [England] must be, and is considered by those best capable of appreciating its value, of more importance than all the cession we made to England as a military post."

The settlement not only gave to the United States the site of the fort, but from 30,000 to 40,000 acres between the true parallel of forty-five degrees, and the old line.

At once work on the fort, interrupted since 1818, was resumed. "The ink with which the treaty was signed was hardly dry when engineers were dispatched to that place, who examined its strength and proceeded to renew and rebuild it," said Webster. "And no military work, not even the fortification of the defense of the Narrows approaching New York, has been proceeded with by the Government with more zeal." This, in spite of the fact that, in 1817, an exchange of diplomatic notes between Great Britain and the United States agreed that war vessels would be barred from Lake Champlain as well as from the Great Lakes.

Fort Montgomery is useless, but it marks a spot historic as well as picturesque. It stands at the gateway from the Richelieu, the river that has been called "the valley of beauty and the highway of war," to the waters of Lake Champlain, waters at which Samuel de Champlain marveled in 1609, when he found himself there with his little vessel of discovery.

For centuries the Indians, on errands both of peace and of war, had passed through what they called "Caniaderiguardunte," the Gateway. And during later years the French, succeeded by the English, had moved up and down between Canada and the United States, on business bent or, more often, seeking to destroy their enemies.

Major Israel Putnam knew the place. One day in

August, 1758, not far below the site of the fort, while he was watching the French and Indians who were in his way, he was captured, and was saved from being put to death at the stake only by the intervention of a sympathetic French Officer.

Benjamin Franklin, too, passed this way. In 1776, when on the way home from Montreal, where he had been representing the Colonies in the attempt to win Canada to the cause of the patriots, he was carried through the Richelieu River into Lake Champlain in an open boat. He was an old man, and far from strong, but he did not complain because of the privation.

In 1776, also, the Richelieu's waters bore the fleet of Sir Guy Carleton, sent south to cut off the northern Colonies from their brethren at the south. Six vessels, which had been built in England, sailed to the foot of the rapids on the Richelieu, and there were taken apart. After being transported to St. John, they were rebuilt. Others were added to them, until there were, in all, thirty-one vessels, with from one to eighteen guns each. Seven hundred veterans manned these boats. On October 1 the fleet was ready for its antagonists.

Antagonists were ready for them on Lake Champlain. General Arnold was put in charge of a fleet built from timber that was standing in the forest a few weeks beforehand. Carpenters were scarce, and materials had to be transported a long distance. But Arnold managed to have ready a flotilla of fifteen vessels, manned by 350 men. It is true that all of these men were absolutely without experience. But what of that? They were American patriots!

And what a fight there was on October 11, off Valcour Island, a few miles below Rouse's Point! Arnold covered himself with glory. Against tremendous odds he fought, and, while he did not win, he inflicted such damage on the enemy, and showed such tremendous endurance, that he won great fame for the infant navy of the United States!

Captain A. T. Mahan, writing in *Scribner's Magazine,* February, 1898, said of this combat:

"Considering its raw material and the recency of its organization, words can scarcely exaggerate the heroism . . . which undoubtedly depended chiefly upon the military qualities of the leader; the little American navy on Lake Champlain was wiped out, but never had its force, big or little, lived to better purpose or died more gloriously, for it saved the lake for that year."

Clinton Scollard well said, in his pleasing poem written for the celebration of the Tercentenary of the Discovery of Lake Champlain:

"Here Arnold strove (alas, the later hours
That stained a patriot's name otherwise pure!)
Whelmed, yet undaunted, by the foeman's power,
Beneath thy coppiced headlands, green Valcour!"

Between Valcour, the scene of Arnold's heroism, and Rouse's Point, in New York, are other spots of real historic import.

On Windmill Point is Alburgh, where the French tried to gain a foothold in 1731, but failed.

At Point au Fer, General Sullivan built a fortification for the patriots, in 1776, though the British took possession of it in the following year.

And on Isle La Motte, Champlain set foot in 1609; probably this was the first land trodden by him within the present limits of the United States. More than half a century later the French built old Fort Ste. Anne on the island. This event is commemorated by a bowlder tablet erected on the beautiful island:

In Honor of the First White Men who Fortified this
Island in 1666
In Memory of the Sacrificial Valor of
Colonel Seth Warner and Captain Remember Baker,
Eminent Green Mountain Boys and Patriots
and
To Commemorate the Campaign of General Montgomery
Who Encamped on the Spot with 1200 men in 1775
This Tablet is Erected by the
Patriotic Societies of Vermont Women
1909

CHAPTER IV

ON THE NIAGARA FRONTIER

"YOU cannot have permission to stay in the country; you must leave it, sir!" So spoke the commander of Fort Niagara to Major Andrew Ellicott, whom Washington had sent to the Niagara frontier on a public errand.

Yet Fort Niagara was in territory awarded to the United States by the treaty of peace arranged at the close of the Revolution! After leaving the St. Lawrence, the line was to pass into "Lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and Lake Erie, thence along the middle of said communication into Lake Erie."

Still it was not until 1796 that the British withdrew from Fort Niagara, the stronghold at the mouth of the Niagara River which they had held for many years. They were loath to yield a frontier that was the key to the important country westward from Lake Ontario.

A writer in the *Royal Magazine* of London, in 1759, said: "Niagara may, in some measure, be said to command all the interior parts of North America, and to be, as it were, the key to that noble continent."

The unwilling surrender was made in consequence of a visit made to London by John Jay, whom Washington sent to arrange for the transfer. At the conference he held with the Britons he learned that they felt justified in holding on to the fort because, so they claimed, America had been slow to pay debts owing to merchants in Great Britain before the war. Jay suggested the appointment of a commission of award to care for all claims. Then, having no further excuse for insisting on the retention of Niagara, the agreement was made to deliver it to America not later than June, 1796.

The importance of the fort, and the unwillingness of Great Britain to yield it, may be understood by those who read the words of Frank H. Severance of the Buffalo Historical Society, in an address delivered in 1896. He said:

"The story of Fort Niagara is peculiarly the story of the fur trade and the strife for commercial monopoly, and it is, too, in considerable measure, the story of our neighbor, the magnificent colony of Canada. . . . It is a story replete with incidents of battle and siege, of Indian cruelty, of patriot captivity, of white men's duplicity, of famine, disease, and death—of all the varied forms of misery, and wretchedness of a frontier post, which we in days of ease are wont to call picturesque and romantic. It is a story without a dull page, and it is two and a half centuries long. . . . I cannot better tell the story . . . than to symbolize Fort Niagara as a beaver skin, held by an Indian, a Frenchman, an Englishman, and a Dutchman, each of the last three trying to pull it away from the others (the poor Dutchman early bowled over in the scuffle), and each European equally eager to placate the Indian with fine words, with prayers, or with brandy, or to stick a knife into his white brother's back."

The story begins in 1669, with the first efforts of the French to secure possession of the Niagara country. It includes also the romance of the building of the *Griffon,* the first vessel on the Great Lakes, and the episode of the early fortification of the late seventeenth century. But it was not until 1726, the year of the building of the stone castle near the mouth of the Niagara River, that the fort had its real beginning. The French felt compelled to build the fort because the activity of the English was interfering with their own fur trade with the Indians, and their plan to build Fort Oswego would increase the difficulty. No time was to be lost; Governor Joncaire felt that he could not wait for the approval of the authorities at home. To these latter he sent word that he must build a fortress, and he asked for an appropriation; to the Indians he declared that he wished to have a mere trading station. His real purpose was indicated when he wrote to France that the building "will not have the appearance of a fort, so that no offense will be given to the Iroquois, who have been unwilling to allow any there, but it will answer the purpose of a fort just as well."

The first step was the construction of two barques for use on Lake Ontario, to carry stone and timber for the building, and later, to cruise on the lake and intercept traders bound for Oswego.

After the construction of the barques had been begun, the consent of the five Iroquois nations was secured. Longueuil promised them that it would be to them "a House of Peace" down to the third generation and farther. To Gaspard Chaussegros de Lery, engineer, was committed the building of the structure. He determined to make it fireproof. "Instead of wooden partitions I have built heavy walls, and paved all the floors with flat stone," he wrote in a report sent to France. The loft was paved with flat stones "on a floor full of good oak joists, upon which cannon may be placed above the structure."

The trade with the Indians at the completed stone house on the Niagara increased. So did the activities of the English. Governor Burnet of New York craftily persuaded the Onondaga Indians that their interests had been endangered by the building of the French fort, since it penned them up from their chief hunting-place, and was therefore contrary to the Treaty of Utrecht; they agreed with him that the Iroquois had no right to the territory, which was really the property of the Senecas, and they asked the Governor to appeal to King George to protect them in their right.

Therefore the suggestion was made that they "submit and give up all their hunting country to the King," and sign a deed for it. Accordingly, Seneca, Cayuga, and Onondaga sachems deeded to the English a sixty-mile strip along the south shore of Lake Ontario, which included the Niagara frontier, the Niagara River being the western boundary.

"From this time on the 'stone house' was on British soil; but it was yet to take the new owner a generation to dispossess the obnoxious tenant," Frank H. Severance writes in *An Old Frontier of France.*

The story of the next thirty years is a story of plots and counterplots, of expeditions threatened and actual, of disappointing campaigns, of imprisonment and cruelty and death. More than once Indians promised the English that the house at Niagara should be razed. Spies reported that the defenses of the castle were in bad shape; " 'tis certain that, should the English once attack it, 'tis theirs," one report ran. "I am informed that the fort is so dilapidated that 'tis impossible to put a pin in it without causing it to crumble; stanchions have been obliged to be set up against it to support it." Another report disclosed that if the cannon were fired the walls would crumble.

But the French were not ready to give up. They felt that Fort Niagara was the key to the Ohio Valley, which they wished to control. They strengthened the defenses of the fort. The defeat of Braddock at Fort Du Quesne and the strange decision of General Shirley to stop at Oswego instead of continuing with his force to Niagara gave the French a new lease of life.

In 1759 came the end of French rule. General Prideaux's expedition from New York began the siege of the fort early in July, and after several weeks it capitulated. Until 1796 the English flag floated above the "castle." The commander of this post, like the commanders of six other forts, refused on various pretexts to surrender to America, in spite of the terms of the treaty of 1783. Attempts were made to secure possession, but none of them were successful, and it was not until 1794 that Great Britain agreed to evacuate Niagara and the other forts still held, "on or before the 1st of June, 1796."

The rather aggravating incident of the emissary of General Washington who was ordered away from Fort Niagara seven years before the British reluctantly yielded the fort is a sprightly record. It is told in a letter from the officer to President Washington, dated January 18, 1790. The letter is preserved in the archives of the Department of State at Washington.

Major Ellicott's errand was to make certain investigations as to the western boundary of New York, especially to learn if Presque Isle, now Erie, was located west or east of the western boundary of New York.

Determination would prove of special interest to Phelps and Gorham, who had bought the pre-emption claims of Massachusetts to lands in western New York. They wanted Presque Isle. So did Pennsylvania. Major Ellicott was to decide between the claimants.

In preparing for the expedition, Major Ellicott pointed out the fact that "because the point which limits the state of New York to the westward lies within the British settlements in the west end of Lake Ontario, it will be necessary to obtain leave to go within the British line to commence the business."

Accordingly, President Washington sent an express to Lord Dorchester (Sir Guy Carleton, famous in the annals of the Revolution), the Governor General of Canada, asking him to send authorization for the Americans to go to Fort Niagara. He was asked to send the response to the fort, to which the surveyors were on the way.

Major Ellicott can best tell the story from this point. If all the documents in the State Department were as racy as his letter, the files would be turned over frequently! He wrote, nearly three months after reaching the fort (evidently a reasonable lapse of time in the days of leisure).

"On my arrival at the Garrison of Niagara on the 21st day of October last, I was introduced by the officer of the day. I produced my commission, which the colonel looked over, and then addressed himself to me in the following words:

" 'Pray, sir, what request have you to make from this paper?'

"To which I replied, 'In order to execute the duties of my appointment it will be necessary to go into the Territory of his Britannic Majesty, but as you may not be authorized to grant such permission, an express has been sent on by our Secretary of foreign affairs to his Excellency Lord Dorchester, governor general of Canada, to obtain the privilege, and if the express has not yet arrived, my present request is only that myself and party may have the liberty of staying in the country, with such privileges as are allowed other Gentlemen from the United States, and await their arrival.'

" 'You cannot have permission to stay in the country; you must leave it, sir,' the colonel said.

"I then informed him that our going away so precipitately would be attended with inconveniency to ourselves, and the great expense of the United States sacrificed to no purpose, and as I was confident that the express would arrive with the first Vessel, and from a desire to have the business executed with all possible dispatch, I should not be very punctilious about the privilege but would willingly be confined to one single acre of ground, or any space, and under any instruction, which he himself should prescribe, to which he replied:

" 'Your request cannot be granted, sir. You must leave the country, and that with expedition.'

"I then informed him that myself and companion were much fatigued with a long and painful journey, and our Horses broke down . . . and that our return home might be marked with some degree of certainty I requested the privilege of continuing some few days in the country to refresh ourselves and recruit our horses. To which he returned,

" 'I cannot be accountable for your situation. You are not to continue in this country, and if you stay anywhere in it I shall hear of you and take measures accordingly.'

"I then observed to him that I had some Gentlemen in my party, who were very desirous to view the falls of Niagara and as this was the only probable opportunity which would ever fall in their way, I requested that their curiosity might be gratified, particularly as the falls were not near any of the forts. To which he answered,

" 'Your Gentlemen cannot be gratified. They cannot see the falls. Too many people have seen the falls already.'

"I then began to make some observations on the common usage of all civilized nations with regard to the matter of science and natural curiosities, but was soon interrupted by the Col. who desired that I would 'not multiply words on that subject,' that he 'was decisive and we must depart.'

"He then addressed himself to Col. Bull of the Rangers (who was present) as follows:

" 'Colonel, it is Luncheon time, will you go and take a cut with us?'

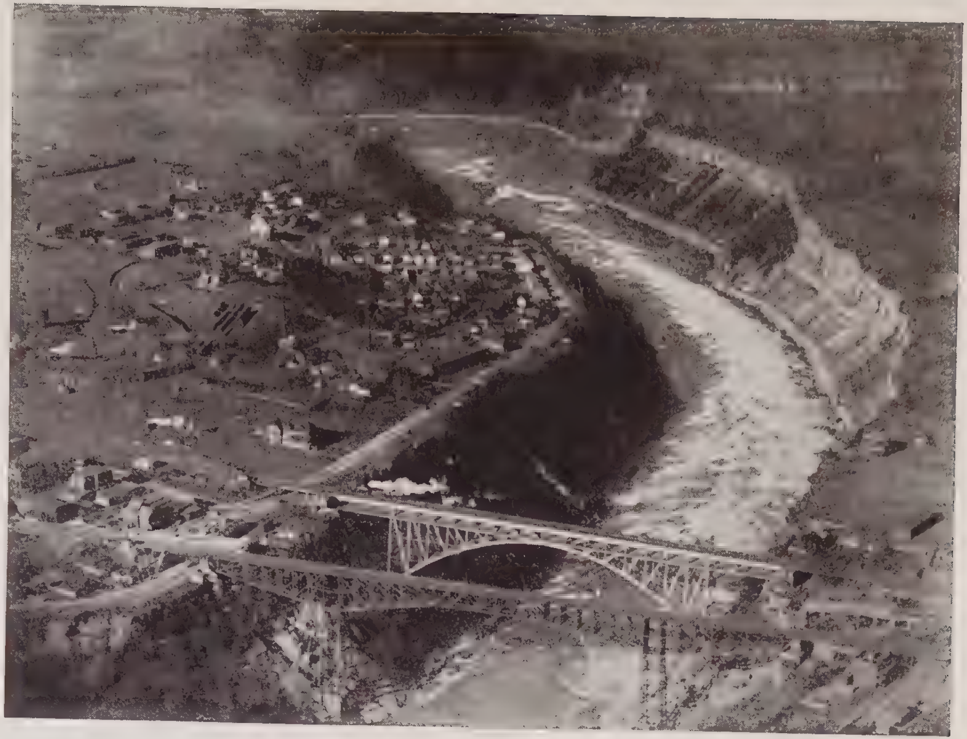
"Then turning to me, he said, 'you may return to the Tavern in the Bottom, and procure such refreshments as you may want, in the meantime I will take a copy of that paper (pointing to the Commission) after which the adjutant shall return the original.' "

One more request was made. Might they go to Buffalo Creek, which was in the territory of the United States? This request, too, was refused. The only thing he might do was to go away at once, using a pass given to him for the purpose. The pass stated that the jurisdiction claimed by the British garrison at Niagara extended to the Jennesseo River.

In the effort to gratify the commandant of the fort, Major Ellicott wished to depart at once. There was necessary delay, since the camp was five miles distant. But he was soon waited on there by a messenger who told him that the commandant desired "that our departure might be attended with expedition."

Surely that was speeding the departing guest with a vengeance, even if there had been no welcome to him as he arrived!

With difficulty the party proceeded one hundred miles. Then the express overtook them, and they were given the desired permission to work from Fort Niagara. But the horses were unable to travel. So, wrote the Major, "we employed Canoes to carry our Instruments and Baggage down the Jennesseo River to the Carrying place, where we



LOOKING UP NIAGARA RIVER TOWARD THE FALLS
(OFFICIAL PHOTOGRAPH, UNITED STATES ARMY AIR SERVICE)

THE HORSESHOE FALL AT NIAGARA
(OFFICIAL PHOTOGRAPH, UNITED STATES ARMY AIR SERVICE)

procured a Boat, and returned up Lake Ontario to Niagara." The closing statement of the narrative is notable; "On our return we were treated with politeness and attention."

At length came the day in 1796 when Great Britain, no longer able to find excuses for remaining in possession of Fort Niagara, retired from it, to remain away until 1813, when the Union Jack replaced the Stars and Stripes for a season.

One of the most interesting records of the War of 1812 has to do with the Indians who were allies of the United States in the struggle, one issue of which was the return of the historic fortress to its owners. The Indians had always played a prominent part along the Niagara frontier. In fact, the failure of the French to win the country to the south was due in large part to the opposition of the Six Nations, who claimed the country through which they desired to pass.

In the War of 1812, it was feared, for a time, that the Indians along the frontier would cast in their lot with Great Britain. At any rate, it seemed probable that they would at least remain neutral. In fact, a chief of the Senecas announced that the tribe would not take up the quarrel of the United States, but would remain at peace. Yet only a few days after Red Jacket made that statement, the Senecas were angered by the British seizure of Grand Island, in the Niagara River opposite the mouth of Tonawanda Creek. Now not only was Grand Island the property of the Senecas, but on it had been buried the ancestors of many of them. It was true that hundreds of years had passed since the burial; it was also true that the tribe of those whose last resting-place was there had disappeared: in 1651 the Neuters—so called from their refusal to war on the Wyandots, the Hurons, and the Iroquois—had been conquered by the Iroquois. Their town, near the site of Buffalo, had been destroyed. And the remnants of the tribe had been incorporated with the Senecas.

And now the British had laid careless hands on the island where there rested many braves of the Neuter nation! Very well; they would have to take up arms against the invaders—not only the Senecas, but all the Six Nations. The proclamation in which they declared their purpose had a glorious ring—in the ears of the Americans:

"We the chief and committee of the Six Nations of Indians residing in the State of New York, do hereby proclaim to all the war chiefs and warriors of the Six Nations, that war is declared on our part against the provinces of Upper and Lower Canada. Therefore we hereby counsel and advise all the war chiefs of the Six Nations to call forth immediately the warriors under them, and put them in notion to protect their rights and liberties, which our brothers the Americans are now defending."

A paper in the records of the Buffalo Historical Society speaks of the retention by the Indians of lands on the Niagara frontier which they then defended at such cost:

"The Seneca Nation never gave up their title to the bed of the Niagara River. To-day they own it and a strip along the shore. It is theirs, and some day the State of New York must reckon for its payment. The State may wriggle and squirm, it may balk . . . as it did in the tardy justice it has given the Cayugas, but even as the 118-year fight was won by the Cayugas, and the 60-year fight of the Six Nations for payment for the Kansas Raids, so some day must the land and the river defended by the Senecas in 1812-13 be paid for by the Sovereign State."

Since 1815 old Fort Niagara, the stronghold of that frontier for which the Senecas, the original owners of the land along the Niagara frontier, fought so valiantly, has been in the possession of the United States. The Daughters of the War of 1812 long ago placed a tablet on the walls of the old castle, which recounts the outline of its history.

Perhaps twenty miles from the fort is the tremendous spectacle, Niagara Falls, half on the American side of the border, half on the Canadian side. To-day the way is open to any visitor to gaze on the sublime wonder, on either side of the border. As he looks in awe and wonder let him recall the days when the commander of the British Fort Niagara, located in American territory, said to an emissary of the American President that he could not lead his party to the falls! Let him be grateful that he is able to see the majestic plunge of the waters over the Horseshoe Falls of which Anthony Trollope, a visitor when the nineteenth century was young, wrote, after sitting on the rail of the bridge, from which he had a view of the Horseshoe Falls:

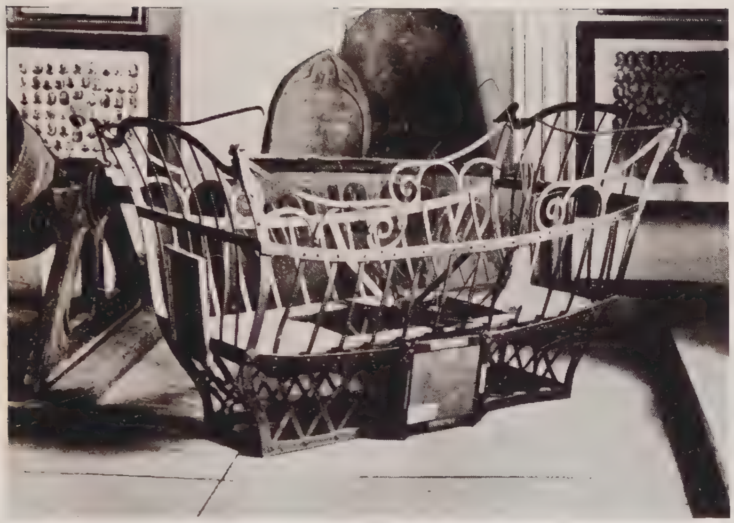
"It is glorious to watch them in their first curve over the rocks. They come green as a bank of emeralds; but with a fitful flying color, as though conscious that in a moment more they would be dashed into spray and rise into air, pale as driven snow. The vapor rises high into the air, and is gathered there, visible always as a permanent white cloud over the eastward; but the bulk of the spray which fills the lower hollow of that horseshoe is like a tumult of snow . . . The head of it rises ever and anon out of the caldron below, but the caldron itself will be invisible. It is ever far down—far as your own imagination can sink it. But your eyes will rest full upon the curve of the water.

"The shape you will be looking at is that of a horseshoe, but of a horseshoe miraculously deep from toe to heel; and the depth becomes greater as you sit. . . . That which at first was only grand and beautiful becomes gigantic and sublime till the mind is at a loss to find an epithet for its own use. To realize Niagara you must sit there till you see nothing else than that which you have come to see. You must hear nothing else and think of nothing else. At length you will be at one with the tumbling river before you. You will find yourself among the waters as though you belonged to them. The cool liquid green will run through your veins, and the voice of the cataract will be the expression of your own heart. You will fall as the bright waters fall, rushing down into your new world with no hesitation and no dismay; and you will rise again as the spray rises, bright, beautiful, and free. Then you will flow away in your course to the uncompassed, distant, and eternal ocean."

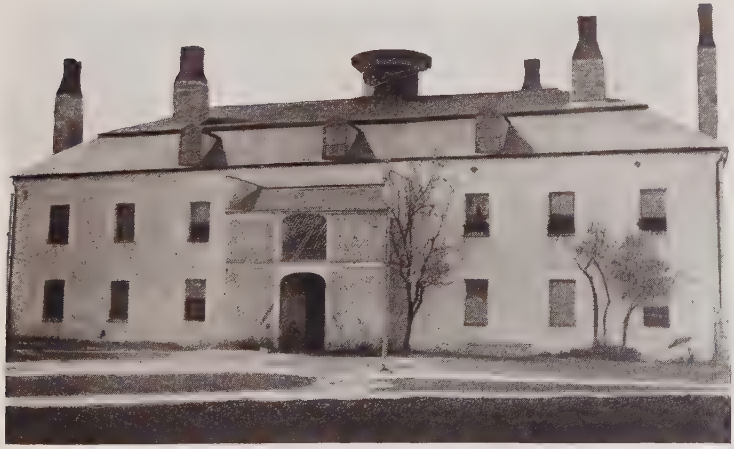
Visitors to-day have an opportunity to see the Falls from a point of vantage not open to those who went there in the early days of the Niagara frontier—from the suspension bridge that succeeded the kite string sent across the chasm by a boy who, in competition with many of his fellows, won the prize offered by Engineer Ellet, to whom had been committed the task of building the first suspension bridge.

Even before that bridge was ready some venturesome spirits were able to view the Falls from below, and far aloft. They were passengers in the iron car which moved on cables from bank to bank, one hundred and sixty feet above the angry waters. That car, which now reposes in the Historical Building of the Buffalo Historical Society, was planned primarily for the transportation of the first materials for the bridge, but it was used by thousands who wished the thrill of going where once it was impossible to go.

The story is told that the form of the basket was fixed



IRON CAR USED IN CROSSING NIAGARA GORGE ON CABLE BEFORE BUILDING OF SUSPENSION BRIDGE



THE CASTLE AT FORT NIAGARA
(THE OLDEST BUILDING IN THE NORTHERN UNITED STATES WEST OF THE MOHAWK RIVER)

BURNING OF THE *Caroline* ON THE NIGHT OF DECEMBER 29, 1837
(FROM A DRAWING MADE BY AN OBSERVER)

when the engineer asked a local ironmonger for suggestions. They were seated at the time in a hotel near the Falls. The man of iron rose, placed two rocking-chairs together, after the manner of a child playing house, and said, "There is your basket."

It is remarkable that of those who crossed the chasm by the carriage thus arranged for, at least two-thirds were women. The first passenger was a woman who went on a dare from a fellow traveler, a man. There is a story that when Millard Fillmore, then a Congressman, visited the Falls, with a young woman, she wished to test the car. He tried to dissuade her. She would not be stopped, but stepped into the basket. "Her dignified companion, too gallant to permit her to go alone, silently took his seat, and together they made the passage," wrote the builder of the car, when he was an old man.

The moral of the incident, if it has any moral: Why not say that if you wish to be President of the United States, you must cross the gorge below Niagara Falls, in an iron basket, with a young woman who will go into risky places? At any rate, her escort became Vice-President, then President, only a little later.

Among the early visitors to the Falls were pioneers, westward bound, who were taking their way to Black Rock Ferry, within the present limits of Buffalo. This old ferry dated from Indian days. It was named from a great black rock, on the edge of the river, three or four feet high and of great and irregular extent. A natural harbor was found between the angle of the rock and the shore. This fact, together with the lessened width of the Niagara River at that point, made a natural place for a ferry.

The rock long ago dropped, after blasting. The ferry is gone. But Black Rock is a name familiar to the Buffalonians, as well as to the traveler who makes the long circuit about the city from the main station to the frontier station at Black Rock, where customs and emigration officers make known to all who cross the river that they are passing between two nations—nations that for more than a century have been at peace, nations which have no need for military guards or ships of war on the border.

Perhaps the nearest approach to a clash on the Niagara frontier during the generations of peace came in consequence of the haste of misguided men. In Niagara River, about two miles above the Falls, is Navy Island, the possession of Great Britain. This was taken possession of by a company of young men from Buffalo, who wished to help the so-called Patriots in their rebellion against the authorities in Canada. That rebellion had been severely handled, and the insurgents had been compelled to flee across the border.

One of these insurgents, William L. Mackenzie, addressed a large public meeting in Buffalo. He reminded the Americans of their successful efforts to throw off the yoke of English tyranny, and said that he "wished to obtain arms, ammunition, and volunteers to assist the reformers in Canada." He asked that arms be deposited at the Eagle Tavern. "All night and the following day great activity was displayed in the collection of arms, and munitions of war, and in the enrollment of names. . . . Shortly after midnight they seized from the sheriff two hundred stand of arms, took two field pieces, and marched off to Black Rock."

On December 13, 1840, the company, led by an American, departed for Navy Island. There a provisional government was formed, and a proclamation was issued, signed by Mackenzie. The proclamation, according to Orrin Edward Tiffany, the historian of the movement, stated that for fifty years the government had "languished under the blighting influence of military despots"; that the standard of liberty was raised for the attainment of a written constitution—perpetual peace based on equal rights to all, abolition of hereditary honors, a legislature of two houses chosen by the people, an executive elected by public voice, a judiciary chosen by Governor and Senate, trial by jury, vote by ballot, freedom of trade, exemption from military service, "the blessings of education for every citizen," the opening of the St. Lawrence to the trade of the world, and the distribution of the wild lands to the industry, capital, skill and enterprise of worthy men of all nations.

The Patriots hoisted above the island their flag—two stars to represent the two Canadas. Government bills were issued, and were accepted on the American mainland. A treasurer was appointed to secure subscriptions made in the United States. It was thought that large amounts could be counted on, since sympathy among many of the Americans was strong.

Then followed an event which, for a time, seemed to some to threaten war between Canada and the United States. Supplies for the Patriots were accumulating at Buffalo; these were needed on Navy Island. The little steamer *Caroline* was fast in the ice, but she was cut out, and on December 29 she began her first trip, ostensibly to carry supplies to a number of points, but, as it appeared, with Navy Island especially in view. After several trips to and from the island, the *Caroline* was docked for the night at Schlosser, on the American side. On board were ten members of the crew, and twenty-three others.

But the British troops had been watching. From Chippewa an expedition was sent to destroy the vessel, which was thought to be the property of the insurgents. In seven boats, with seven or eight men in each, they stole out from the mouth of the Chippewa River, crossed the stream, and reached a point close to the *Caroline,* but within the shadow of a protecting island.

When the moon had set they approached within a few yards of the steamer. They were hailed and asked for the countersign. "I'll give it you when we get on board!" was the reply of the commander of the expedition. Thereupon the vessel was boarded. "The shot of the pistol and the stroke of the cutlass mingled with the fierce oaths of the contestants and the deep groans of the wounded. The conflict was brief; the sleepers on board the boat, entirely unconscious of the premeditated attack, were easily overcome. The *mêlée* over, the *Caroline* was loosed from her moorings, towed into the stream, set on fire, and allowed to drift toward the Falls."

Indignation in America was great. Governer Marcy of New York sent a special message to the legislature; in this he spoke of the thirty-three persons on board who "were suddenly attacked at midnight, after they had retired to repose, and probably more than one-third of them wantonly massacred."

President Van Buren sent a message to Congress, to tell of the "outrage of the most aggravated character, . . . accompanied by a hostile though temporary invasion of our territory, producing the strongest feelings of resentment on the part of our citizens."

Secretary of State Forsyth, in a letter to the British minister at Washington, called attention to the destruction of property and the assassination of citizens of the United States "which would necessarily form the subject of a demand for redress upon her Majesty's government."

General Scott was ordered to the Niagara frontier, and New York and Vermont called out the State militia to protect "the frontiers of the United States."

Fortunately, the delay necessary for investigation of the tragedy gave opportunity for excitement to die down. Again General Scott proved himself a real peacemaker; the citizens of the United States were ready to listen to his appeals for calmer consideration of the events, of which, it soon appeared, too much had been made, since but one person was known to have been killed.

The matter was reopened by the arrest of Alexander McLeod, a British subject, who boasted of his part in the affair, saying that he had killed the one victim of the tragedy. He was apprehended at Lewiston, and was put in the Lockport jail. Great Britain demanded his release because the destruction of the *Caroline* was due to the acts of those obeying military orders; only the governments could review it, not the courts.

McLeod came before the Supreme Court of New York, by writ of *habeas corpus,* but this was refused. But before he could be brought to trial the administration at Washington changed; Harrison was the new President, and Daniel Webster became his Secretary of State. "The British Government boldly renewed its demand for the immediate release of McLeod," Mr. Tiffany writes. He advised the President to take into his most deliberate consideration the serious nature of the consequences which might ensue from a rejection of the demands.

"Pretty strong language had been used in some of the notes from her Majesty's government, which Webster in his reply called to the attention of the British minister: he emphatically denied that the American sympathizers were 'American pirates,' or that they had been 'permitted to arm and organize themselves within the territory of the United States.' He said that on a frontier 'long enough to divide the whole of England into halves,' violence might sometimes occur, 'equally against the will of both countries,' and that such things might happen in the United States, without any reproach to the Government, 'since this institution entirely discourages the keeping up of large standing armies in time of peace.' "

Finally, Webster said that McLeod could not be released until the courts had their say. He intimated that if such things were allowed to occur, "they must lead to bloody and exasperated war." In this particular case the United States could not believe that necessity for the acts perpetrated by those who attacked the *Caroline* existed, as claimed by Great Britain.

The trial of McLeod lasted from October 4 to October 8, 1841. Attorney-General Crittenden was sent from Washington to manage the defense, while General Scott was present, to protect the prisoner from possible mob violence.

The jury found the prisoner "not guilty," and he was released. The difficulty was solved in a manner satisfactory to all.

The final chapter in the controversy was introduced by Mr. Webster's note to Lord Ashburton, who had come to the United States to negotiate a treaty on the northeastern boundary. Webster spoke of the affair as "a wrong and an offense to the sovereignty of the United States, being a violation of their soil and territory, a wrong for which to this day no atonement or even an apology has been made." Lord Ashburton made no apology, but he stated that "the British officer who executed the transaction, and the government who approved it, intended no slight or disrespect to the sovereign authority of the United States." Moreover, he regretted "that some explanation and apology for the occurrence was not immediately made."

CHAPTER V

WHEN THE FUR TRADERS HOPED TO DISREGARD A TREATY

WHY did the flag of Great Britain continue to fly over Detroit for more than twelve years after the definitive treaty of 1783?

It was not because there was doubt as to the terms of the treaty as to the boundary on the Great Lakes and the connecting rivers; those terms were set down so clearly that there could be no mistake.

Was it because of reluctance to yield the old Northwest, a country rich in furs, where the Northwest Company had been trading for generations?

Was it due to the belief that the country which had won its independence would be unable to maintain itself? When it fell into pieces, some one would have to pick up the pieces. Was Great Britain planning to be in a favorable position to grasp the Northwest? What better position could she have than that of one who had never yielded possession?

During the Revolution a post had been maintained there; from this as a rallying point there were sent out influences calculated to inspire the western residents with such terror that they could not aid their comrades on the Atlantic coast.

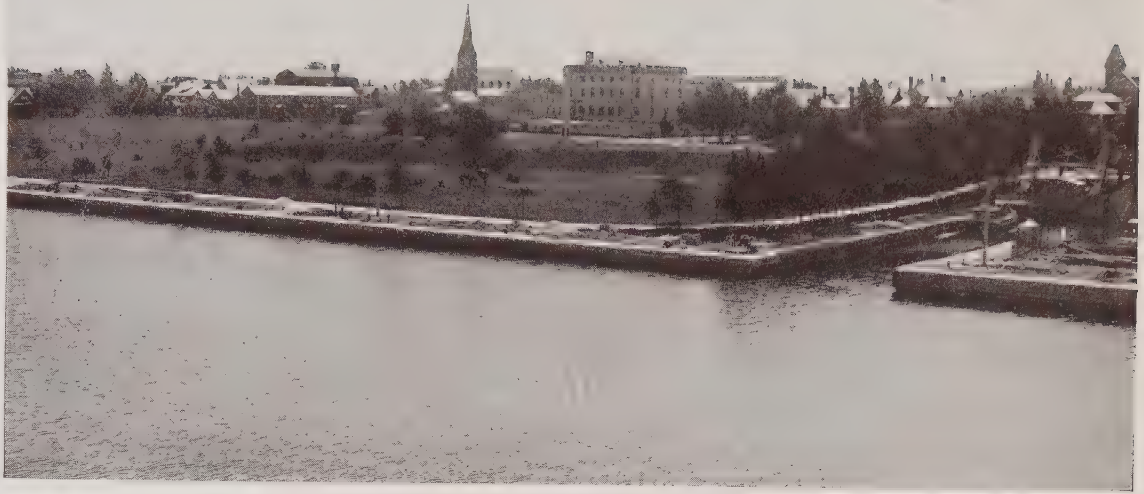
It was important that the Indians who came to the post by the Detroit River to trade their furs, and other Indians in the interior who could be influenced by them, should have a lavish supply of presents. So one of the expected charges of war was for the goods shipped to Detroit for distribution among the Indians, who came to look on the periodical visits to the post as a season of festivity. "On their arrival they were feasted and flattered without stint," said a historian who wrote of those days. "Clothing, trinkets, firearms and 'red-handled scalping knives' were supplied to them in enormous quantities."

But the victory of Colonel George Rogers Clark at Vincennes in 1779 made inevitable the demand that the country west of the Alleghenies be given to the country which won its freedom by seven years of struggle.

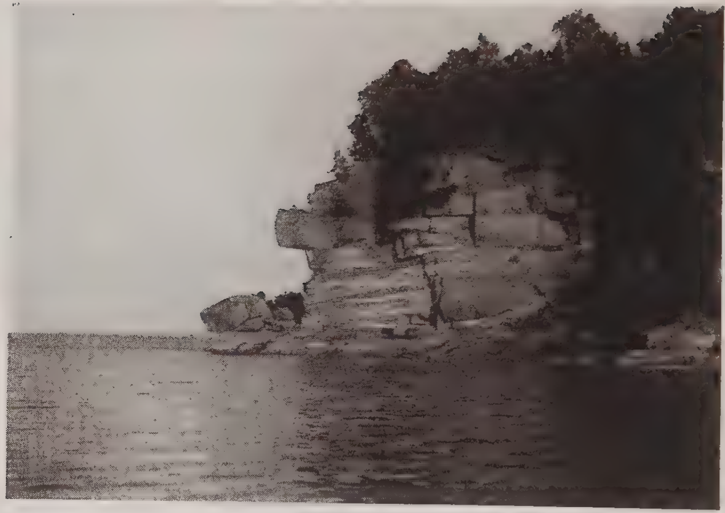
Yes, the terms of the treaty promising their surrender were clear as they could be. But Detroit was not surrendered. On the contrary, the defenses at Fort Lernoult were increased, the garrison was enlarged, and greater supplies than before were sent for distribution among the Indians, that these savages might be ready to do the bidding of those who had held the country so long, and oppose the coming of the Americans, whose colonizing threatened disaster to the fur traders.

When the centennial of the evacuation was celebrated at Detroit on July 11, 1896, the trying events of the years which followed these actions by representatives of Great Britain were narrated by Henry M. Duffield.

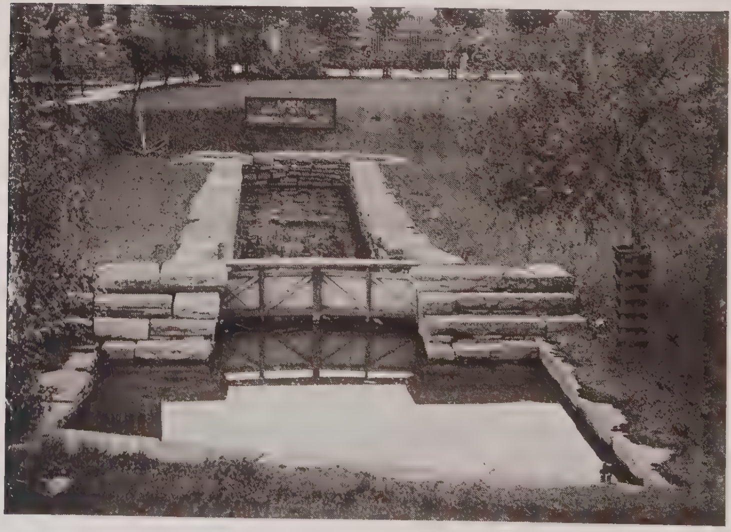
In July, 1783, President Washington sent word, asking that Detroit, as well as a number of other posts, be evacuated, according to promise. The denial was prompt and decisive; General Haldeman, the Governor-General of Canada, said that the request could not be considered. Washington was not surprised; when the terms of the treaty were made known, he declared that England would retain the posts as long as they could be held under any pretense whatever.



SAULT SAINTE MARIE, MICHIGAN



GULL ROCK, GRAND ISLAND, NEAR MUNISING, MICHIGAN



LOCK (RESTORED) BUILT BY THE NORTHWEST FUR COMPANY AT SAULT SAINTE MARIE, MICHIGAN, IN 1797

When, in 1784, General William Hull was sent by Congress to interview Haldeman, he was informed that there could be no change in relations.

John Adams made the next attempt. In 1786, as minister to England, he asked that the terms of the treaty be observed. But he was told that, since many of the states had violated the treaty, Great Britain had ample justification for remaining in control of the strategic points on the lakes.

Soon the efforts of those who were trying to use the Indians for their own advantage began to tell. In 1786 there was held at the north of the Detroit River a grand council of the Indians northwest of the Ohio River. Hurons, Ottawas, Menominees, Shawnees, Chippewas, Cherokees, Delawares, Pottawattomies, were there, together with representatives of the Six Nations, and of the confederated Indians of the Wabash.

The Indians made complaint that they had not been included in the treaty between Great Britain and the United States. They declared their intention to keep the Americans south of the Ohio River.

With rare cunning Lord Dorchester managed to arouse the Indians while seeming to make efforts to quiet them:

"In the future, His Lordship wishes you to act on a hint for your interests. He cannot begin a war with the Americans because some of their people encroach and make depredations upon parts of the Indian country; but they must see it is His Lordship's intention to defend the posts, and that while they are preserved, the Indians must feel great security therefrom, and consequently the Americans' greater difficulty in taking possession of their land. But should they once become masters of the posts, they will surround the Indians and accomplish their purpose with little trouble.

"You seem apprehensive that the English are not very anxious about the defense of the posts. You will soon be satisfied that they have nothing more at heart, provided that it continue to be the wish of the Indians, and that they remain firm in doing their part of the business, by preventing the Americans from coming into their country, and consequently from marching to the posts. On the other hand, if the Indians think it is to their interest that the Americans shall have possession of the posts, and be established in the country, they ought to declare it, that the English need no longer be put to the vast and unnecessary expense and inconvenience of keeping the posts, the chief object of which is to protect their Indian allies. . . ."

In spite of all these evidences of purpose to hold Detroit, the merchants of Montreal became fearful lest it be given up, and with it the wonderful fur trade from which they were making great fortunes. So, in 1787, they made the plea that two years more would be required to repay the £300,000 still owing to Quebec from the country about the western lakes. Three years later they declared that they had extended their trade to such an extent that they would be bankrupt unless they had five years, at the minimum, to continue uninterrupted trade. More, if, at the end of that period, it should seem advisable to yield the posts, they hoped it would be arranged to consider the Indian country "neutral ground free and open for the purpose of trade."

But by this time the Indians were showing themselves anything but neutral. Encouraged by such messages as that of Lord Dorchester, as well as by the action of Colonel Simcoe, in increasing the garrison and the defenses of Fort Lernoult, and in building a fort at the rapids of the Maumee, near the present site of Toledo, they decided to make war on the Americans wherever they could find them.

Followed four years of struggle between the government and the Indians. In October, 1790, General Harrison, with 1,400 men, was defeated by the Indians, who returned to Detroit, bearing bloody trophies and boasting of their prowess. Likewise in 1792 Governor St. Clair, after destroying Indian villages, was surprised and defeated by Little Turtle.

But the tables were turned when Congress sent General Anthony Wayne against the savages, who soon learned to call him the Black Snake. In 1794 he built Fort Deposit not far from the British fort on the Maumee, and on August 30 he defeated the Indians in the battle of Fallen Timbers. Again the Indians went to Detroit, not to boast of their prowess, but to seek protection from those who held the post.

The efforts of Governor Simcoe to arouse them to further efforts were futile, and in 1795 they were ready to make a treaty of peace.

While these events were transpiring, the fur merchants of Montreal were becoming still more fearful that the rich country should slip from their grasp. In December, 1791, they addressed the Canadian authorities, suggesting a number of lines between the United States and Canada that would answer their needs—though each suggestion after that first made would prove less satisfactory than its predecessor.

These attempts of those who had a very natural desire to conserve profits which they knew would vanish with the settlement of the country, were quite remarkable.

First of all, they said they wanted a line that would follow the Allegheny River to the Ohio, and so to the Mississippi.

If they could not secure this concession, they were willing to let lines be fixed from Presque Isle (Erie) to French River, and then to the Ohio and the Mississippi.

The third choice was for a line up the Maumee River from western Lake Erie, then down the Wabash River to the Ohio.

If they had to be so generous, they would agree to let lines follow the Great Lakes to Mackinac Island, then along the eastern shore of Lake Michigan, and around the head of the Lake to the Chicago River.

If concessions had to go still further, they were ready to see the line follow the Fox and Wisconsin route of the fur traders from Lake Michigan to the Mississippi—the route followed by Marquette and Joliet in their explorations.

The last resort was to be a line from Sault Sainte Marie River to the Apostle Islands in Lake Superior, "then ascending a river which falls into Lake Superior, across to the Chippewa River, and down this to the Mississippi."

The merchants thought that the last named route should surely satisfy the most grasping.

But John Jay, who had been sent to England to reach a different agreement, was so successful that, on November 17, 1794, he secured a promise to evacuate Detroit and the other posts not later than June 1, 1796.

One last effort was made by the merchants to retain for themselves some of the territory that had been so profitable to them. Much of the southern peninsula of Michigan was bought from the Indians for £25. Arguments were then made by the purchasers that the Indians had not been effectively subdued by the United States, and the fur traders alone could hold them. Then why not let them hold the country?

But Congress refused to listen to the arguments or recognize the purchase of the land.

In spite of the limit for British occupation set by the treaty, it was July 11, 1796, before the Stars and Stripes took the place of the flag which had flown over Detroit for so many years.

On the Federal Building in Detroit there is a tablet which reads:

> 1796-1896
>
> This Tablet Designates the site of an English Fort erected in 1778 by Major R. B. Lernoult as a defense against the Americans. It was subsequently called Fort Shelby, in honor of Gov. Isaac Shelby of Kentucky, and was demolished in 1826.
>
> The evacuation of the Fort by the British at 12 o'clock noon, July 11th, 1796, was the closing act of the War of Independence. On that day the American Flag was for the first time raised, all of what was the Reserve or the Western Territory becoming at that time part of the Federal Union.

But not even yet was Great Britain content to let the western country go. If they could not have the territory tributary to the Great Lakes for their own, they wanted to make of it a sort of buffer state of Indians, under their influence. This purpose was made known when the commissioners gathered to make the Treaty of Ghent, which followed the War of 1812. At the very outset the English commissioners asked that the American commissioners agree to set apart for the Indians in perpetuity the vast territory now composing the states of Michigan, Wisconsin, Illinois, and large parts of Indiana and Ohio! In fact, they said that agreement to this demand should be the necessary preliminary to any negotiations. Further, they demanded that engagement be made that the United States would not attempt to purchase the lands from the Indians.

But the commissioners from Great Britain had to deal with John Quincy Adams, Henry Clay, and Albert Gallatin, and it did not take long for them to make plain to those who would treat with them "that until the United States had lost the sense of all independence, they would not even listen to such propositions."

The treaty as finally ratified arranged for a line up the middle of Detroit River, through Lake St. Clair, and the River St. Clair, then through the middle of Lake Huron.

In accordance with the treaty of 1783 the line then passed through the water connection between Lake Huron and Lake Superior.

Thus Sault Sainte Marie became a point on the boundary—the little town at the rapids where Indian boatmen and French voyageurs had dared the dangerous rapids in their trips to and from Detroit; where the French Repetigny had built a stockaded fort in 1750; where, in 1797, the Northwest Fur Company had built a canal and lock for the fur batteaux, in order to overcome the rapids.

That canal and lock were destroyed by the United States troops when, in 1814, they demolished the post at the Sault. And they remained hidden until they were uncovered in 1894. Later the lock was rebuilt in stone as nearly as possible like the original lock. The oak floors and walls, scarred by the batteaux of long ago, are still preserved underneath the modern stone.

Thus the old lock at Sault Sainte Marie—the spot which Laurence Oliphant, in 1855, said was "the dim Ultima Thule"—became one of the most interesting of the monuments along the boundary between the United States and Canada.

CHAPTER VI

HOW DIPLOMACY WON MINNESOTA'S NORTHERN BOUNDARY

THERE would have been no story of the northern boundary if it had all been as easy to fix as the part of it which passed along most of the waters of Lake Superior.

This line left far to the south the famous Pictured Rocks, which stretch for twelve miles along the southerly shore near what is now Munising, Michigan—great water-worn cliffs, many of them two hundred and fifty feet high, whose colors and caverns and weird formations made the Indians and the fur traders marvel. These are the rocks which Longfellow said were guarded by "The Old Man of the Mountain," who

"Opened wide his rocky doorway,
Giving Paupukewis shelter,"

from the pursuit of Hiawatha.

Hundreds of miles farther on, clustering about Chequamegon Bay, are the strange Apostle Islands, where more grottoes and red stone cliffs under evergreen canopies lure the modern traveler as they lured the Ojibways who sought Madeline Island, it is said about the year 1490, when the Iroquois drove them westward. Until about 1620 they remained there, thousands of them, and deserted the entrancing surroundings only when they felt that a curse was upon the island because of the deceit of medicine men who, after demanding maidens as sacrifices for the gods, were found to have sought them merely for their own feasts. Many of them went to Minnesota, where they left their impress on lakes and rivers later fixed as part of the boundary.

In later years some of the interpreters of treaties would have been glad if the boundary line had been placed just north of the Apostle Islands. Instead, however, it had been fixed most definitely to the north of Isle Royale, a rocky, forbidding island containing several hundred square miles. The Indians would not visit it, for they thought it was the abode of the Great Spirit, Menong.

Fortunately the dread of the Indians for the picturesque spot is not shared by those who have succeeded them. In fact, so much interest in the island has been shown that it will probably be set apart as a national monument—that is, if privately owned lands are added to the gifts of the nation and the State of Michigan, so that the whole of this natural wilderness—which is but thirty-five miles from Duluth—may be dedicated to public use. Then the virgin forests, and the twenty-one inland lakes, where moose and caribou wander, will no longer be overlooked by civilization.

Isle Royale was specifically mentioned in the provisional treaty of 1782. So was the mysterious Isle Philippeaux, which never existed, though early map-makers insisted that it was as large as Isle Royale. In fact, it appeared boldly in the famous Mitchell map, which was in the hands of the treaty-makers—a map published in England in 1755 by a botanist who had gone to America about 1700. This credulous map-maker had set down fact and fiction in such close proximity that it was hard to separate them. Another of his vagaries was the careful disposition of the

THUNDER CAPE, LAKE SUPERIOR

CURTAIN FALLS, ON THE BOUNDARY BETWEEN MINNESOTA AND CANADA

ON THE WATER BOUNDARY BETWEEN MINNESOTA AND CANADA

BOUNDARY WATERS IN MONTANA

twelve Apostle Islands; he thought there ought to be that number, because of the name. But—to the joy of searchers after wild beauty—there are scores of them.

The passage by the fabulous Philippeaux to water above the real Royale, and then to the mainland, marked the last bit of certainty as to the intentions of those who had attempted to describe the boundary in the treaty.

Where was the Long Lake through which the line was to leave Lake Superior? What water was it to follow to the Lake of the Woods? Where was the most northwest point of the Lake of the Woods, to which the boundary was to extend? And where was the source of the Mississippi, to which a line was to be drawn directly west, before it followed that river down to the parallel of thirty-one degrees? Mitchell's map said that the Mississippi River was supposed to rise at about the parallel of fifty degrees. If so, such a line would have been possible. But the river simply was not there.

Add to these errors another of great moment. It was the design to make the boundary line through waters extending to the ultimate source of the Great Lakes. The Lake of the Woods was supposed to be the ultimate source, the head of the St. Lawrence system of waters. Yet that lake drains to the northeast; it is related to Hudson Bay rather than to the St. Lawrence. To quote the lament of Otto Klotz of Canada concerning the language of the treaty:

"The object was to reach the most westerly head of the waters of the St. Lawrence, and this was supposed to be reached in the Lake of the Woods. Unfortunately, the inaccuracies of the map cost us the possession of what is now Duluth and the northeast part of Minnesota."

It will be seen, then, what a marvelous chance there was for misunderstanding, scheming diplomacy, and long-drawn-out negotiations. The story of the sixty years that followed the treaty of 1782 shows what full advantage was taken of the opportunities presented.

With the foresight shown by the Colonists in so many instances, a committee of Congress urged, in 1779, that when the boundary line of the new country was drawn it should extend from Lake Nipissing west to the Mississippi River, thence down the middle of that river, to the latitude of 31 north.

When the treaty of 1783 was in the making, a plan discussed was to fix on the parallel of 45° as the boundary. But such a boundary did not suit Great Britain. To her, frontage on four of the Great Lakes seemed far more important than mere territory. So she agreed to the water boundary, thus making it possible for the United States to retain nearly half of Lakes Huron and Michigan, half of the states of Michigan and Wisconsin, and a part of Minnesota, which, otherwise, would have become British territory.

No wonder the remark was made to Vergennes—the French minister who, in 1777, had informed the Americans that France was ready to recognize the new republic and to enter into an offensive and defensive alliance with it—that the United States had secured more than was expected by the most optimistic; they had received title to "points that they had found it impossible to capture." Was America thinking of the remote possibility of connection with the Pacific?

But in 1790, before anything was done to perfect the title to the territory awarded by the treaty, Mr. (afterward Sir) Alexander Mackenzie made a tour of the northwest, in the course of which he followed the water communication between Lake Superior and the Lake of the Woods. Noting how well adapted the country was to the needs of the Northwest Company, he found himself wishing that it might be retained as a British possession. So, when he wrote his book, *The History of the Fur Trade,* he urged that the boundary line, when finally fixed, should, after passing to the north of Isle Royale, turn to the south, some two hundred miles, to the mouth of St. Louis River, at the southwest corner of the lake. Soon the suggestion was taken up by the Earl of Selkirk in behalf of the Hudson's Bay Company. It was natural, then, that those in authority should begin to find—as will be indicated later—that the treaty defining the boundary really called for delineation that would have put the site of Duluth on Canadian soil, and, with it, some fifteen thousand square miles of territory whose riches afterward proved to be almost fabulous.

It was felt in 1794 that such rectification of the boundary would be easy because, by that time, the impossibility of drawing a line due west from the Lake of the Woods to the source of the Mississippi was becoming apparent, and because John Jay was in London, charged by President Washington with persuading Great Britain that the time had come to give up the posts occupied on the frontier.

Lord Grenville was the spokesman for the British proposal. Why not agree that a line be drawn from West Bay of Lake Superior, westward toward Red Lake River of the Mississippi, this line to intercept at right angles a line drawn due south from the angle formed by the junction of the St. Croix with the Mississippi? Such a line would preserve to Great Britain the treaty right to navigation of the Mississippi, and it would provide a line at the forty-fifth parallel which could be extended to the Pacific coast.

Once again Alexander Mackenzie let his voice be heard. Not only would the proposed line be a good thing, but it must be continued west, even to the Pacific Ocean, to the south of the Columbia.

But John Jay had his eyes open; he was not to be stampeded, to the detriment of his country. His objections were that the British proposals would call for an impossible cession of territory, and his proposal was that, since the location of the source of the Mississippi was uncertain, there should be a joint survey to determine it; if the survey should show that the Mississippi would not be intersected by a line westward from the Lake of the Woods, the countries could then proceed to negotiations for a new line.

While that proposition was accepted, the survey could not be made before it became unnecessary; in 1798 David Thompson visited the source of the Mississippi, and found it to be nearly two degrees south of the northwest corner of the Lake of the Woods. His findings were generally accepted, for all had confidence in his ability as well as his judgment.

A dramatic and most unexpected turn in events followed the decision of a convention, in 1803, to draw a line that would give to both countries the free use of the Mississippi, and to Great Britain "the shortest line which can be drawn between the northwest point of the Lake of the Woods and the nearest source of the Mississippi." Twelve days before the signing of the terms of the new convention, Louisiana, recently acquired by France, was sold by Napoleon to the United States! Naturally, then, when the Senate was informed of the agreement of the convention, it refused to ratify the third part which referred to the northern boundary. The entire convention failed in consequence of the exception, since Great Britain refused to accept a partial agreement.

But this failure was considered of far less moment than the possible signing away of important rights to northern territory which would probably emerge as a result of Jefferson's gigantic deal in real estate. There was no means of telling the exact northern limit of Louisiana. What folly, then, to agree to a line which might in the future limit the claims of the United States because of the purchase!

In fact, American statesmen soon ceased to think of the possibility of a line fixed on the parallel of fifty-five degrees. For, as John W. Davis pointed out in an address before the American Geographic Society on April 25, 1922: "At the peace of Utrecht, which closed the War of the Spanish Succession, Great Britain and France had undertaken a century before to fix their respective claims upon the American Continent. France contended that her territory extended to the north to within fifty miles of Hudson's Bay, while Great Britain insisted that the Hudson's Bay Company possessed the land to the forty-ninth parallel. No express agreement was reached, but thereafter, upon all English maps, the forty-ninth parallel was carried as the boundary line."

As successor to France, then, the United States had the right to say that the forty-ninth parallel is the uncontroverted boundary line.

The first record of the intention of the United States to claim such a boundary was made by James Madison in 1804. And in 1806, when Monroe and Pinkney were appointed to meet British commissioners, in the hope of framing a treaty, they proposed "a line drawn due west from the Lake of the Woods along the forty-ninth parallel . . . as far as the pretensions of the United States extend in that quarter."

To this proposal the British commissioners agreed. But they were careful to wish to add the words: "Provided that nothing in the present article shall be construed to extend to the northwest coast of America, or to the territories belonging to, or claimed by, either party, on the continent of America, to the west of the Stony Mountains."

Thus Great Britain proposed to safeguard, and postpone settlement of, the disputes as to possession of the Oregon country.

The American commissioners were wide awake. As a substitute they suggested that the boundary be a line drawn north or south (as the case may require) from the most northwestern part of the Lake of the Woods to the parallel of 49°, and then due west.

That convention might have been a maker of history. But, unfortunately, a change of ministry in England interfered, and the controversy was back where it started.

The matter came up again when the commissioners of both countries met at Ghent, to draw up the agreement that was to end the War of 1812. The British commissioners stated most positively that they must insist on a line westward, not from the Lake of the Woods, but from Lake Superior to the Mississippi. The representatives of the United States were just as insistent on the line southward from the Lake of the Woods to the Mississippi. The differences of opinion were too great to be harmonized, and the treaty finally provided for two commissioners, one from each country, who should settle the boundary.

Soon the day came when Great Britain was eager for a convention before which the dispute might be renewed. America was ready to take part in the fresh attempt. But by 1818, when the negotiations were resumed, the eyes of John Quincy Adams, Secretary of State, were open. To the American commissioner he wrote:

"From the earnestness with which the British government now returns to the object of fixing the boundary, there is reason to believe that they have some other purpose connected with it, which they do not avow, but which, in their estimation, gives it an importance not belonging to it, considered in itself."

It has been suggested that one reason Mr. Adams was puzzled was because, as he thought, the boundary was to pass through the depths of the desert. Probably the British had more accurate information as to the value of the country through which it was proposed to run the line.

The fruitless attempt of 1818 was followed by a meeting of commissioners in 1822 which selected surveyors to make accurate report concerning lines from Lake Superior to the Lake of the Woods. These surveys led to other meetings in 1824, and to further surveys. One of these, made by order of the British commission, was from the mouth of the St. Louis River to Rainy Lake. There were two unexpected results from this—the first survey of Duluth Harbor, in 1825, and the earnest contention by Great Britain that this lower line not only answered all the demands of the original treaty, but that it was the most reasonable boundary.

The arguments for the St. Louis route were numerous, and they varied from serious to ludicrous.

Of arguments that commanded respect was the one that called attention to the fact that the St. Louis River becomes a lake before entering Lake Superior—and the treaty demanded that the line enter Long Lake after leaving Lake Superior. Moreover, the Ojibway name for the St. Louis River, Kitchi-jami-zibi, meant Long Lake River.

But the argument on which much reliance was placed was fantastic, to say the least. They said the line, after passing to the north of Isle Royale in Lake Superior, should turn south, not north. "If they intended the boundary to go to a point north of Isle Royale, it would have been easy to say that the boundary should go to that precise point without mentioning Isle Royale." But because it said "north of Isle Royale," the intention was that it should go south afterward!

The remark made by Senator Thomas H. Benton concerning the contention certainly was worth as much attention as the argument to which it was a reply. He says that the description of "to the north of Isle Royale" was for the obvious purpose of taking the shortest course to the Long Lake, or Pigeon River. "After going to the north of Isle Royale, to get out of the lake at a known place, it would be absurd to turn two hundred miles south, to get out of it at an unknown place." Surely if the intention had been to go to the St. Louis River, the line would have been put through the middle of Lake Superior, as it had been put in the middle in other lakes. Instead of this it turned north so as to include as United States waters two-thirds of that lake.

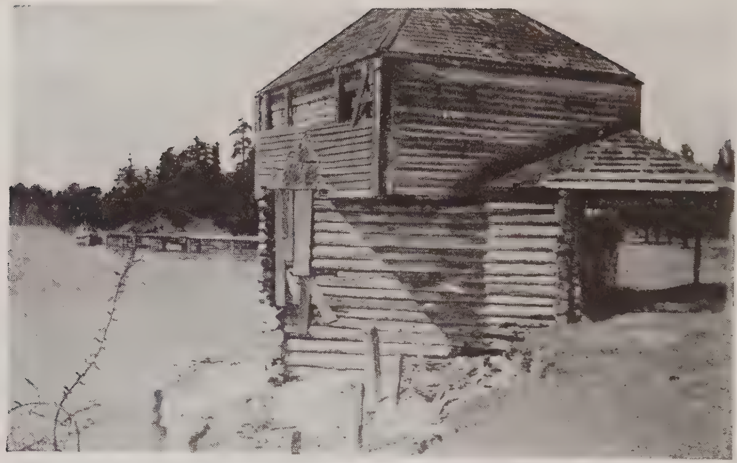
The American commissioners proved that they, too, could suggest another route. They talked of the best portage route—that from the present site of Fort William, up the Kaministiquia, and so to Rainy Lake. From that point the routes suggested coincided.

Again years passed. The various surveys, which cost in all nearly one million dollars, seemed to be useless.

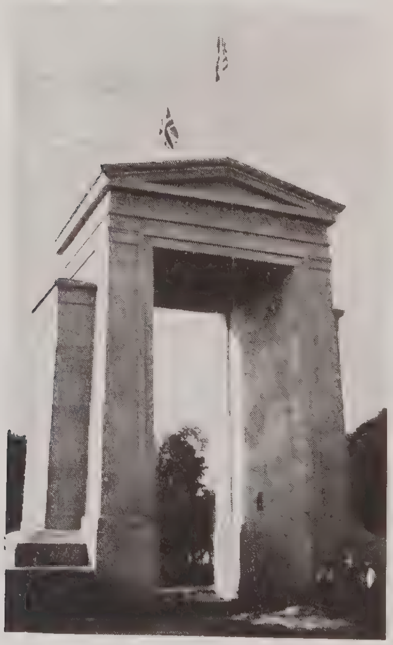
But in 1842 the question was finally settled. Lord Ashburton managed to secure a definition of the line which, while it followed the Pigeon River or central route of the three, still preserved for Great Britain exclusive possession of the desired system of communication with Rainy Lake, and a joint possession, with us, of the boundary route. Could they have asked for more? At any rate, both countries were satisfied with the result.

BOUNDARY WATERS IN MINNESOTA

LONE TREE LAKE, ON THE BOUNDARY, NORTH DAKOTA



THE OLD BLOCKHOUSE OF ENGLISH CAMP ON GARRISON HARBOR, SAN JUAN, ISLAND



THE PEACE PORTAL ON THE BOUNDARY AT BLAINE, WASHINGTON

What a marvelous canoe voyage can be made along the line as finally agreed to! There are a few portages, it is true. But it is easy to forget the hardships encountered in the course of passing from one stream to another, in the joy of gliding quietly along shady reaches of still waters, or riding roughly over rough waters, shooting breathlessly through rapids, gazing in wonder at waterfalls, or stealing up on a moose as it makes majestic progress from one country to its neighbor.

The start for the trip is Pigeon River. The Ojibways called it Omimi-zibi, a name translated by Longfellow in his line

"Cooed the pigeon—the Omemee."

For this was a favorite trading ground of the passenger pigeon, which once flourished by the million, though it disappeared long ago.

Pigeon River is the only real river on the route to Rainy Lake. For this water boundary is really a long series of lakes.

"The lakes lie in rock-bed basins—clear and deep. From one of these rocky basins a short, rapid stream carries the water down to the next lower basin. The shores are covered with green—green of pine and spruce, of balsam fir and birch."

There are twelve fascinating lakes on the route from the Pigeon River to Lake Saganaga. One of the twelve is named Lake Long. Was this Mitchell's reason for putting Lake Long farther down toward Lake Superior, and so giving opportunity for much controversy?

Beyond Saganaga Lake is the curious Hunter's Island, featured by all maps, and worthy of its prominence because the running of the line to the south instead of to the north deprived the United States of some eight hundred square miles. It is not really an island, for, while the water passage is complete on the north, there is on the south a portage of perhaps a quarter of a mile. Since the boundary was to follow the water route, the northern water should have been chosen. Geologists have wished that Hunter's Island was a part of the United States, since the rocks of the Vermilion Iron Range lead directly to it.

But why should we stop to think of possible copper veins when we can see Crooked Lake, which the French called *Croche,* because of its irregular outline; the Portage de Rideau, the Curtain Portage, so named because it shows the way around a fall where the water, in its thirty-foot drop, is like a filmy curtain; the Flaçon (Bottle) Portage, named for its peculiar shape, which leads to the Lake La Croix?

Lake La Croix, too, is named for its shape; it is said to be like a cross. The Ojibways, in their picturesque manner, called it Nequaw-rauna, "a piece of wood put in the incision of a maple tree." It is said that it was the custom of these Indians to make from one hundred to five hundred pounds of maple sugar for each of their lodges.

But one name was not sufficient for such a curious body of water. So the Ojibways called it "Sheshibagumag sagaügun," "the lake where they go every which way to get through."

More lakes, more portages, more connecting streams. Then come Chaudiére Falls and Portage, at the entrance to Rainy Lake. The mere name rouses anticipations that the reality satisfies abundantly. It is indeed "a great boiling kettle."

Beyond Rainy Lake are International Falls, where a dam has raised the level of Rainy Lake, so permitting the lake stream to approach the busy little city whose paper mills take advantage of the power supplied by falls over which once the rainbow played so constantly that the Indians found it easy to name Rainy Lake and its outlet, Rainy River.

Beyond Rainy Lake the country changes. Instead of the barren rock and the luxuriant evergreens there are fertile clays and hardwood forests. But the fascination of the canoe journey is not lessened; it is only varied.

When the boundary surveyor reached the Lake of the Woods the problem was by no means solved. They had to discover its northwest arm. The result is the curious jog of the boundary which finds Minnesota to the east of a section of Manitoba, and includes in the United States scores of square miles of territory which is not accessible to those who would keep within the territory of the United States. By land this bit of soil—or, rather, bog—can be reached only by passing through southwestern Manitoba.

The route of the boundary from the Lake of the Woods to the Rocky Mountains, or the Stony Mountains, as they were called in the early treaties, has been described by John W. Davis:

"At the Lake of the Woods, it turns due south twenty-six miles to an intersection with the forty-ninth parallel of latitude. Here uncertainty and deviation disappear. Regardless of obstacle it plunges to the west, across the swampy timbered country of the Roseau River, then over many miles of fertile and untimbered prairies to the Turtle Mountains, rising one thousand feet above the plain. Here are trees again, but after thirty-five miles of grateful shade the traveler diverts to a semi-arid and treeless plain extending to the foothills of the Rocky Mountains with their forested slopes. The divide is crossed at an elevation of 7,300 feet; and after a succession of rivers and mountains, plains and lofty summits, much of the time through heavy timber, one comes to a level country in approaching the sea and reaches salt water at the Gulf of Georgia."

The marking of the line through the difficult Rocky Mountain country was a tremendous but picturesque task. The surveyors climbed great cliffs, perched perilously on the edge of crevasses in glaciers, and cut vistas for miles on the timbered slope of mountains—as, for instance, on the ridge which bounds the south end of Waterton Lake, which is partly within our own Glacier National Park, but mostly within the park bearing that name on the Canadian side of the line. The traveler who pauses in a motorboat, on the bosom of the lake, long enough to look up at the broad swath cut through the trees by the surveyors, gains a new idea of what it must be to make "the unguarded boundary" for more than three thousand miles from the Atlantic to the Arctic.

Again let John W. Davis speak:

"In all that distance the only sentinels that guard the line are the silent monuments erected by the joint action of the two nations; the only vessels are the unarmed ships which carry the commerce of the common waterways; the only weapons are the woodsman's ax, the huntsman's rifle, and the tools of fruitful trade and agriculture. Peace reigns from end to end as profound and undisturbed as the quiet of the primeval forest that still clothes many reaches of the boundary line. It is a peace, moreover, not of monotony or of solitude, for a journey along the windings of these far-flung frontiers is an epitome of the industrial and commercial life of the two countries."

CHAPTER VII

THE FORTY-NINTH PARALLEL BECOMES A BOUNDARY

A CURIOUS dilapidated building on a little island in the Straits of Juan de Fuca, within less than a score of miles of Vancouver, capital of British Columbia, has an interesting story. For it is the reminder of one of the most picturesque bits of *opera bouffé* warfare in the varied history of the United States boundaries.

When, in 1846, the treaty between the United States and Great Britain outlined the boundary between the United States and British Columbia, the line was to pass down the channel of the Straits, from the parallel of 49°, to the south of Vancouver Island, and so to the open Pacific. The exact wording of the agreement was: " . . . to the middle of the channel which separates the continent from Vancouver Island; and thence southerly through the middle of the said channel, and of Fuca's Straits, to the Pacific Ocean."

Now that specification looked very simple. Those who made it probably thought that there could be no possibility of misunderstanding. But, like many other treaty-makers, they had not visited the waters they attempted to divide, nor did they examine men whose familiarity with them would have saved them from error.

The difficulty was that, in one place at least, there were two channels, either one of which might, conceivably, have satisfied the conditions. Later on the fact was discovered by settlers on an island in the Straits. This island is one of the San Juan group, between the channels. It contains fifty square miles, and so is one of the largest of the group, of which there are 172 in all, 116 of them having no names.

In course of time settlers were attracted to San Juan Island. Some of them were citizens of Great Britain, and some were loyal Americans. They discussed the nationality of the island; the men from the Canadian side of the border declared that the channel toward the mainland of the United States was meant by the treaty, while the men from the United States were just as earnest in their belief that the channel between San Juan Island and Vancouver Island was the all-important reach of water.

At first the question was purely academic, though the State of Washington had asserted authority by selling the effects of the Hudson's Bay Company for taxes, and the company, supported by the Governor of Vancouver Island, had insisted that this was done without warrant, since the island was British territory, according to orders from Great Britain. The squatters lived in peace until 1859, which later became known as "The Year of the Pig." For in that year an official of the Hudson's Bay Company named Griffith had a pet pig which was permitted to run about the island at will. Incidentally, the Hudson's Bay Company had many cattle and sheep. But these caused no trouble, for they were confined within specified limits.

One day the wandering pig entered the potato patch of a United States man named Culver, who had planned to supply the winter potato needs of the little colony of his fellow Americans. The pig liked the tender potatoes so well that he found his way to the patch on many other days. When it became evident that something was wrong, a watch was set, and the pig was caught in the act.

Of course the next step was the entering of complaint with the owner of the privileged pig, and the careless retort made by the Englishman to the request that the animal be kept safely in a pen angered the man of potatoes.

The pig continued to visit the field of the succulent tubers until the day when he was seen by Culver, who had a shotgun with him. The gun finished the pig, which had done his best to finish the potatoes. The man told on himself, and offered to pay double damages for the pig.

The Englishman's reply was to send word to the authorities to come and arrest the malefactor for a trial in the courts duly provided in Victoria. Culver was not averse to trial, if trial must come, but he said that the trial must take place in an American court, since what was held to be the offense had been committed on American soil.

Then the question of the ownership of San Juan Island ceased to be academic.

"The island is ours!" insisted the Governor of Vancouver Island. "The sovereignty of San Juan Island, and of the whole of the Haro Archipelago has always been undeviatingly claimed to be in the Crown of Great Britain. Therefore I . . . do hereby, formally and solemnly protest against the occupation of said island or any part of said archipelago."

"The island belongs to us!" was the retort made by Americans.

So the only way out was by an appeal of plaintiff and defendant each to his respective country. Feeling was rather bitter in Victoria. There were people who thought the war vessels of England, stationed in the waters adjacent to Vancouver Island, should assert themselves and take down those who had the temerity to claim San Juan and the other islands of the Haro Archipelago.

Fortunately the admiral was too cautious to go to such an extreme in what seemed to be a trivial matter. Just as fortunately his views were shared by General Scott, whom the United States sent on the long journey to the Pacific coast to make investigation. He found American troops from Oregon camped on the island, and several vessels, mounting 167 guns in all, belonging to the navy of Great Britain, standing guard in the waters near by.

But why should there be a clash when it was surely possible to reach an understanding? "It would be a shocking evil if two nations should be precipitated into a war respecting . . . a small island," he argued.

Would it not be a good thing for the countries to agree to submit the disputed line to arbitration? In the meantime it would be all right, surely, to maintain on the island a small garrison from each nation, not for war, but to insure peace. At first Governor Douglas of Vancouver Island was unwilling to agree to this joint occupation; but in March, 1860, he gave his assent.

In the meantime attempts were made to reach a permanent understanding. The commission appointed met at Esquimault Harbor, Vancouver Island.

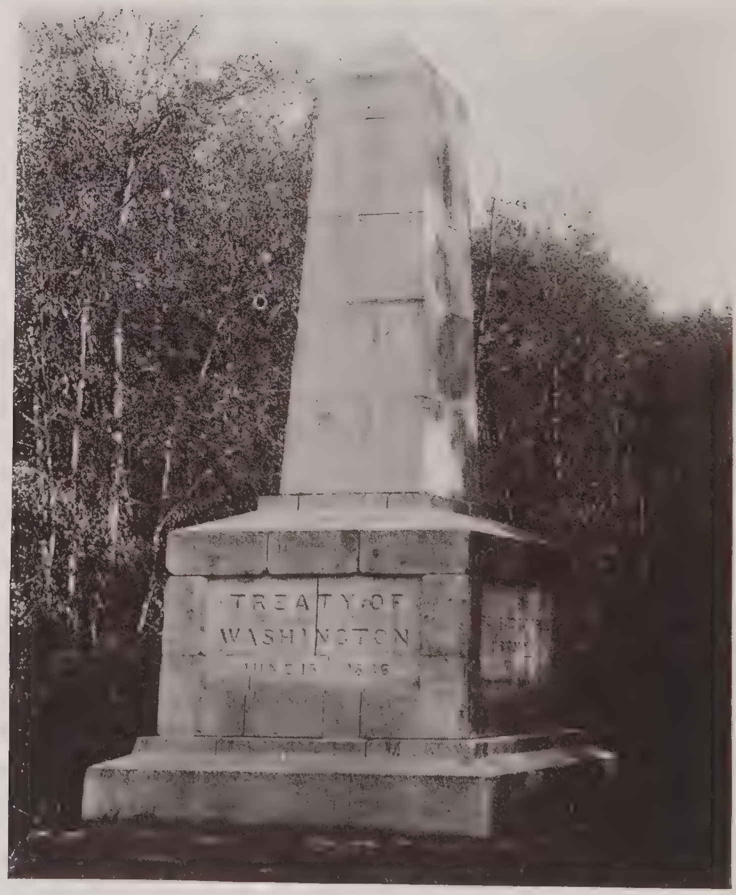
The United States claimed that the Canal de Haro was the main channel south of the 49th parallel, leading into the Straits of Fuca.

The British commission, in claiming Rosario Strait as the line, declared that this separates the continent from Vancouver Island, whereas the Canal de Haro separates Vancouver Island from the continent.

To most readers there will not seem to be any difference between these statements. But the British contended that there was a great difference. It is of interest to study the argument put forth in support of the claim, for it shows how easy it is to find reasons in favor of any position a man feels it incumbent upon him to take:

"I would ask your best attention to this most peculiar language of the treaty, in which the usual terms of expres-

PILLAR POINT REFERENCE MARK, WASHINGTON



BOUNDARY MONUMENT AT POINT ROBERTS, WASHINGTON sion appear to be designedly reversed, for the lesser is not separated from the greater, but the greater from the lesser—not the island from the continent, but the continent from the island, and, therefore, it would seem indisputable that when several channels exist between the two, that channel which is not adjacent to the continent must be chosen which separates the continent from any islands lying off the shore, however remote these islands may be."

Clear and convincing, wasn't it?

But the reason did not seem sufficiently cogent to enable the commission to reach a decision. So the joint occupation became the dependence of both parties.

The American soldiers occupied the southern end of San Juan, while the Canadian camp was a dozen miles away, at the north end. There they arranged for a rather complete equipment of blockhouses, barracks, and all the other necessities for a permanent encampment.

It proved fortunate that the British commander had decided to make life comfortable for his men. For the guardians of San Juan Island were all but forgotten by their compatriots. Canada had other problems nearer home, and the United States was engaged in the fearful struggle of Civil War.

Thus years passed. Naturally the men in the hostile camps became quite neighborly; they played together, they talked together, they ate together. And the cause of their presence on the island was lost sight of before the Emperor of Germany was given a chance to arbitrate the dispute which had been precipitated by a pig that was fond of young potatoes. His judgment was that San Juan was American soil, because the line really passed through the Strait of Haro, not the Rosario Strait, nearer the shore of Washington.

To-day the ground where the English encampment stood belongs to a farmer who has preserved the blockhouse built for defense by the English, as well as a few other things that tell of the thirteen years of uncertainty from 1859 to 1872. Sometimes visitors from the United States who find them there become interested in going back of the pig to the fascinating story of the events that led to fixing on the Straits of Juan de Fuca as a part of the northwest boundary of the United States.

It is a singular story of brave men who, through several centuries, paved the way for a dispute that was not settled until 1846.

Many of the early sea rovers found their way to the North Pacific. Sir Francis Drake went there in 1578, and there is a legend that a Greek named De Fuca (or Apostolus Valserianos, some call him) in 1592 sailed northwest from Acapulco, Mexico, and finally entered a strait up which he sailed for twenty miles. When he returned to Europe he declared he had found a passage to the Atlantic Ocean. His name was given to the Straits that, since 1846, have formed a part of the northern boundary of the United States. Why, then, should some declare that he is a mythical navigator? Do not the Straits prove his story—even if they terminate far from the Atlantic?

Another mythical voyager is said to have visited the northwest coast in 1646. There is much more certainty as to the adventurous Perez and Hecata, who, in 1774 and 1775, respectively, entered the same waters. And in 1778 Captain Cook visited Nootka Sound, on the western coast of what became known later as Vancouver Island. Perez had visited the same port, and had named it San Angelo. His visit was, in part, Spain's ground for claiming title to the country.

An Indian legend, referred to by Lyman, in his book *The Columbia River,* tells of the first ship that reached the land, perhaps about 1725. A woman aroused her people by telling them that she had found on the beach what she thought was a whale, but the sight of two trees standing upright in it had led her to decide that it was a monster. On the trees were many ropes, and the body shone with its copper covering. A bear with a man's head came out of the whale, and frightened her. When the men of the tribe heard her story they rushed down to the beach. To their surprise there were two man-faced bears. As they watched the strange beings went ashore.

But authentic history says that not until 1792 did the first navigator enter what is now American water, and land on the shore. One day the Indians, who lived on what is now known as the Columbia, saw a ship pause long at the entrance to the river, only after nine days to pass on its way. This was the American ship *Columbia,* whose captain was Robert Gray. He was sure he had found the long-sought entrance to the fabled river of which explorers had long told stories, but he was unable to enter because of the strength of the current. A little later he fell in with Captain George Vancouver, the British commander who had been visiting the coast farther north. To him he told his purpose to renew the effort to enter the river. He asked Vancouver to accompany him, but Vancouver declared that there was no river there. So Gray went back alone.

On May 10, 1792, he reached the headlands. Next day he sailed up the stream until he was twenty miles from the ocean. There he anchored. From far and near the Indians came to look at the strange visitor. In the canoe they swarmed about the ship, eager to see the white men at close range, and to trade their furs for the baubles offered by the sailors.

After remaining at anchor a few days, the *Columbia* sailed slowly up the river some miles farther, then returned to the sea, and disappeared, carrying to the world the story of the discovery of the great river which was named for Captain Gray's vessel.

Thus, in the name of the United States, action had been taken which later was relied on as one of the chief points in the claim to possession of the whole northwest country, bordering on the coast. This country was long known as the Oregon country, from the name once given to the Columbia River, its chief water.

In the meantime history had been made at Nootka Sound, the inlet about midway on the western coast of Vancouver Island, which was already a favorite port of the trading vessels, lured there by the readiness of the natives to barter furs almost priceless for tinsel and gewgaws. Spain claimed the sound, and in fact the entire country, not only by reason of the lavish grant made to them by the pope of all the lands bordering on the Pacific, but also because of the visit there of men who sailed under her flag.

Great Britain, also, claimed Nootka Sound, because all the country was surely hers. Had not her navigators entered the waters? Then Captain Cook had been there. And in 1788 his merchants had established a post for trading with the Indians. Their right to Nootka had been recognized by Spain, after Spain's seizure of British vessels and buildings there, in the attempt to assert her own purpose to hold the country. By treaty in 1790 the property taken was returned to Great Britain. But another provision of the same treaty was that Great Britain should not permit her ships to approach within ten sea leagues of any part of the coast occupied by Spain.

Spain had maintained her rights in the face of Russian purpose to occupy the country south of 54° 40′. In 1787 the Viceroy of Mexico, learning that Russia was establishing ports on the coast, sent an expedition to investigate. When the expedition discovered that Russian settlements were encroaching on territory claimed by Spain, protest was made to the Emperor of Russia. This was effective; answer was given that there would be no Russian settlements in country claimed by other nations.

But America's chief dependence, after the discovery of the Columbia by Captain Gray, was the overland journey to the Pacific made by Lewis and Clark in 1803 to 1806.

Behind the expedition there is a story only less interesting than that of the expedition itself.

One day Thomas Jefferson had a long talk with John Ledyard, who had been with Captain Cook on his voyage to Nootka Sound. He had seen the Indians with their rich furs, and had taken part in the trading for these which seemed almost robbery. He had known of the fabulous prices secured in Canton, China, for the pelts bought at such an absurd price. He explained that the whole Northwest was full of fur-bearing animals. What a mine of wealth it would prove!

Ledyard's tales made the statesman anxious to secure the country for the United States. For a long time he studied how he could bring to Atlantic ports the peltries of the West.

He did not see the way until he became President. Then he engineered "the greatest real-estate purchase ever made." France, which had bought Louisiana from Spain, sold her interest to the young country that had so recently started as an independent nation.

The territory bought extended from the Gulf of Mexico to the British possessions on the north, and from the Mississippi River to the Rocky Mountains.

The next step was to arrange an expedition to traverse the purchase, and then go on to the Pacific Northwest. They were not to go by sea, as other explorers had gone, but were to go west by land, cross the Mississippi into the almost unknown country beyond, go up the Missouri to its source, and see if they were not within a few miles of the source of the Columbia.

The men selected were Captain Meriwether Lewis and Captain William Clark, young men who had lived on the frontier. Undaunted by thought of the hardships in prospect, they set out in 1803. Followed two years of Herculean effort and bulldog tenacity before the end of the journey was reached and the Pacific was in sight. Is it strange that the entry made in the official journal on the auspicious day said: "Great joy in camp. Ocean in view!"?

An entire winter was spent at the mouth of the Columbia before the return journey was begun, but not until, on a great pine tree near the mouth of the river, Captain Clark left this record:

"Wm. Clark December 3d 1805 by land from the U. States in 1804 & 5."

Not many years after the return of Lewis and Clark to the east came the final event on which the United States would rest her claim to the Oregon country—the expedition of John Jacob Astor to the Western coast, in search of a share of the wealth in furs. His ship, with its sixty men, reached the mouth of the Columbia on March 22, 1811. Some distance up the stream a fort, a store, and other buildings were erected, and the place was called Astoria. This was the first settlement in the Oregon country. In 1812 reinforcements came both by land and by sea. Trading posts were opened at a number of points in the interior. Thus the Pacific Fur Company, as Astor called his company, became well established.

Later events in the brief history of Astoria were destined to strengthen still more the pretensions of the United States.

Thus the United States rested her case on the discovery of Captain Gray, the expedition of Lewis and Clark down the Columbia River to the Pacific Ocean, and an establishment by the Pacific Fur Company of a fur-trading settlement near the mouth of the Columbia River.

Great Britain likewise made a threefold claim for herself to the Oregon country on the explorations of Captain Cook in 1778 from 45° north; on the establishment by British merchants in 1788 of trading posts at Nootka Sound and Spain's restoration of that post after her representatives had taken it; and on the explorations of George Vancouver in 1792-94, and those of Alexander Mackenzie, who, in 1793, followed the Fraser River to the Pacific, as well as on the activities of the Northwest Fur Company and the Hudson's Bay Company in founding and maintaining trading stations at various points on the coast and in the interior.

So the stage was set for one of the most tremendous dramas in the history of America—a drama of determined contest between Great Britain, which agreed with the words of Sir Alexander Mackenzie: "Let the line begin where it may, on the Mississippi; it must be continued west till it terminate in the Pacific Ocean, to the south of the Columbia"; and the United States, whose most fiery citizens shouted "54° 40′ or Fight," while others declared that the line of 49° would be a satisfactory boundary. At a number of times during the long-drawn-out controversy Great Britain might have had all the territory above 49°. But her statesmen were unwilling to yield what they thought was the better part of the territory, a part which they claimed tenaciously.

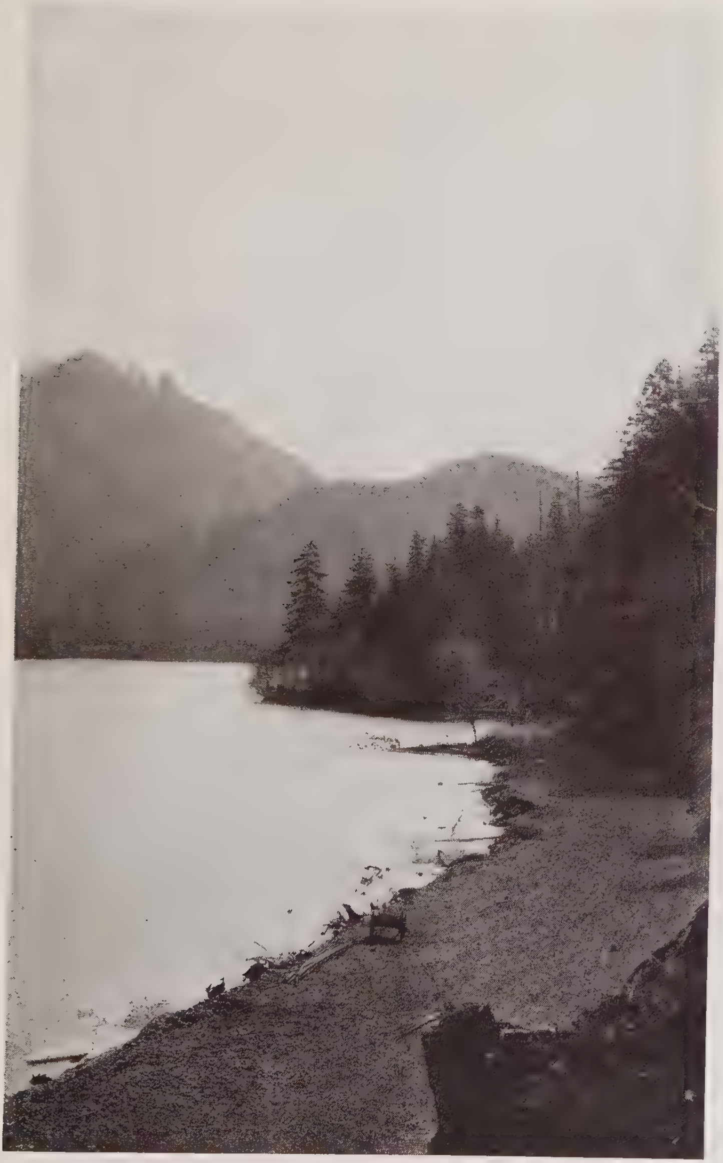
The first chapter in the dramatic contest centered about

Astoria, the lonely fur station established by the Pacific Fur Company. While the second war with Great Britain was being waged with little success on the land, and with great success on the sea, the men in charge of the interests of America at the outpost on the lower Columbia began to wonder how soon they would be swallowed up by the enemy. What would they do if a British warship should appear? Would it not be better to accept the overtures of purchase made to them by the Northwest Fur Company?

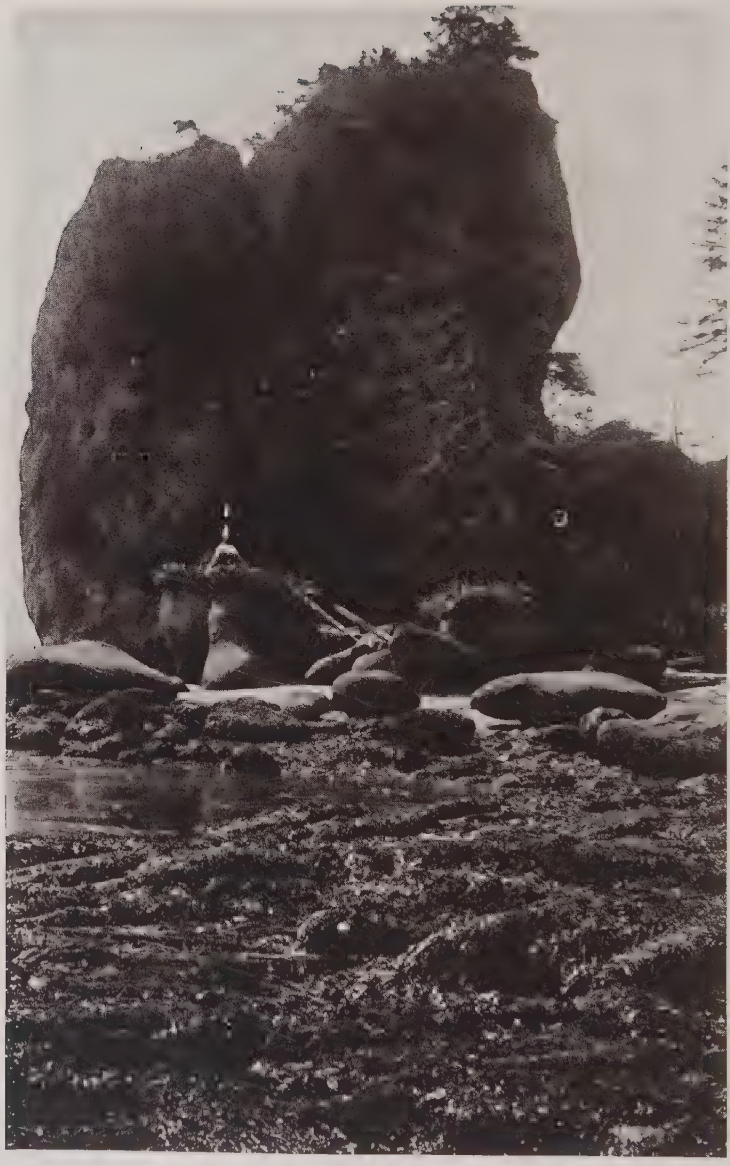
At length an agreement was made to transfer to the British Company, on payment of $58,000, all buildings and equipment. This would involve the retirement from the field of the American company. If the transfer had been fully accomplished, the history of the Pacific Northwest might have been changed. But in the nick of time for America—though the commander felt his interference was most timely for Great Britain—the British ship *Raccoon* entered the Columbia River, and took summary possession of the trading post. The flag of Great Britain was raised and the transfer of the purchase price agreed on became unnecessary. For some years from that day the post was known as Fort George.

In March, 1814, when the commissioners of the United States, appointed to treat with representatives of Great Britain in a conference which resulted in the Treaty of Ghent, were about to cross the Atlantic, President Monroe wrote to them a very astute letter. Some say that, although he did not have information that Astoria had been taken over by Great Britain, he assumed that this had been done. At any rate, he was foresighted enough to say to those who were to safeguard the interests of America:

"Should a treaty be concluded with Great Britain, and a reciprocal restitution of territory be agreed on, you



LAKE CRESCENT, WASHINGTON, SOUTH OF STRAIT OF JUAN DE FUCCA



PILLAR POINT ROCK, WASHINGTON

will have it in recollection that the United States had in their possession at the commencement of the war a port at the mouth of the river Columbia, which commanded the river, which ought to be comprised in the stipulation, should this possession have been wrested from us during the war. On no pretext can the British Government set up a claim to territory south of the Northern boundary of the United States. It is not believed that they have any claim whatever to territory on the Pacific Ocean. You will, however, be careful, should a definition of boundary be attempted, not to countenance, in any manner, or in any question, a pretension in the British Government to territory south of that line."

The instructions were carried out to the letter; the treaty as ratified provided for the restitution of all territory, places, and possessions whatever, taken by either party from the other during the war.

Then the drama becomes a comedy. One day President Monroe called the attention of John Baker, the British *chargé d'affaires*, to Astoria, reminding him that this possession of the United States should be restored, in accordance with the treaty. But Baker said he had received no instructions, so could not give any information.

Monroe waited for a time. Then he sent personal word to Baker that Astoria belonged to the United States and that it should be restored. Moreover, he was informed that the United States knew how to make her claims effective, if they were not recognized.

Yet several years passed without definite action on either side. Then, in November, 1817, British Minister Bagot hurried to John Quincy Adams, the Secretary of State, with the word that he had been disquieted by hearing that the commander of the American vessel *Ontario* had been sent to the Pacific, under instructions to carry out the provisions of the Treaty of Ghent, as to Astoria. To his surprise, he was informed that his fears were not groundless; the vessel had sailed as he had been told. The commander was to see that the flag of the United States floated once more over Astoria, though he was not to disturb the Northwest Fur Company in their trading with the Indians.

From the White House Bagot went to his desk, where he prepared a message to London, informing his government of the fact that the President of the United States dared to take seriously a statement in the treaty. Of course he did not put it in that way; he was too busy thinking how the Oregon country might be retained for Great Britain to argue the case with himself. A second letter was sent to Canada, with the suggestion that the Governor-General plan to forestall the *Ontario* both by an overland expedition and by a ship which might confront the American vessel.

The amazement of the British envoy can be imagined when he received from London a message which told him that the United States was entitled to "the same state of possession which they held at the breaking out of the war." He was also informed that Astoria (Fort George) was to be given up to those appointed by the United States to receive it.

So far good. But the letter went on to make a surprising distinction, which comforted the envoy not a little. The United States had a right to Astoria, according to the treaty, but not to the soil on which it was built; Great Britain would still maintain her claim to that soil "upon which the American settlement must be conceded to be an encroachment."

Finally the British message proposed that the United States submit the whole question to arbitration. "But what is there to arbitrate?" was the question. The United States had a claim to the territory; Great Britain had none.

A few years later some British statesmen felt that a fatal error was made even in conceding soil-less Astoria to the United States; that concession made more difficult effective reply to the refusal of America to arbitrate. In 1826, for instance, George Canning told Lord Liverpool that he regretted the surrender of Astoria as a grave blunder. Yet he felt that the case was not hopeless, "if we maintain our present ground immovably. If we retreat from that, the cession of Astoria will have been but the first symptom of weakness, the first of a series of compliances with encroachments which, if not resisted, will grow upon success." Then he went on to say that "the ambition and overbearing views of the States are becoming daily more developed, and better understood."

Yet, regret the action as many did, Astoria was transferred, on October 6, 1818, though this did not settle the main question. So Commissioners Gallatin and Rush received instructions to go to London and talk over the situation, remembering always the contents of a letter given to them by John Quincy Adams. The letter read, in part:

"The new pretension of disputing our title to the settlement at the mouth of the Columbia River, either indicates a design on their part to encroach, by new establishments of their own, upon the forty-ninth parallel of latitude, south of which they can have no valid claim . . . or it manifests a jealousy of the United States, and a desire to check the progress of our settlements."

Great Britain was unwilling to consider the claims of the United States. Her representatives would have been ready to accept the Columbia River, with the assurance that the harbor and the mouth of the Columbia should be free to both nations.

The final result of the conference was the proposition that both countries should occupy the Oregon country jointly for a period of ten years from 1818. This joint occupancy was not to be allowed to prejudice the sovereignty of either nation.

During that ten-year period the British trading companies continued and enlarged their work. In 1824 the Hudson's Bay Company, successor to the Northwest Company, built Fort Vancouver on the Columbia, near the site now occupied by Portland. And the claim of the United States was strengthened by a treaty with Spain in 1819 by which she ceded to the United States all her claims to territory bordering on the Pacific Ocean north of the parallel of 42°. Five years later Russia agreed to turn over to America all claims of which she was possessed to territory south of 54° 40′, though the claim was made by great Britain that she owned the territory south of that line, by reason of a treaty with Russia in 1825.

For many years there was no change either in the status of the Oregon country or in the feelings of America and Great Britain. This became evident when, in 1826, Albert Gallatin was sent to London to see if he could persuade Great Britain to abate her demands, although he proposed the freedom of the Columbia River for both nations, with the understanding that the boundary was to be the parallel of 49°. He reported, however, that, "since there was no harbor on the Pacific coast between San Francisco and Puget Sound, fit to receive a warship, the British Government would be willing to make over to the United States Port Discovery on De Fuca's Strait, with a radius of five miles of territory about it; or . . . they would even be willing to give up a triangle of land, with all the harbors pertaining thereto, bounded by the Pacific on the West, Fuca's Strait on the North, and Hood's Canal, with a line drawn from its southern extremity to a point ten miles south of Gray's Harbor, as the other boundary."

Convinced that there could be no settlement without the appeal to arms, Thomas H. Benton urged the United States Senate to make an appropriation "to enable the President to act efficiently." It was the intention to authorize him to make full use of the army and the navy.

There were opponents of this strenuous policy. "What do we want of Oregon, anyway?" one Senator asked. Could a State be made there? Would it be possible to get a Senator from such a State to Washington? How would he travel? Should he round Cape Horn, or would it be better to search out a new route by way of the North Pole? Should mountains be climbed, "whose aspiring summits present twelve feet of defying snow to the rays of a July sun?" Another Senator declared, "We are nearer to the remote nations of Europe than to Oregon." And there were many who agreed with the men who declared, "The ridge of the Rockies should be forever a national boundary."

Thus there were in America those who agreed with the editor of the *Edinburgh Review* when he said that Oregon could not be settled from the Atlantic States, though the long line of coast invited emigration from the overpopulated shores of the Old World. "When once the Isthmus of Darien is rendered traversable," the editor wrote, "a voyage will be easier and shorter than that to Australia, which 30,000 of our citizens have made in a single year."

The molder of British public opinion went on with his significant message:

"Let us not then rest under the idle persuasion that we have colonies enough; that it is mere labor in vain to scatter the seed of future nations over the earth; that it is but trouble and expense to govern them. If there is any one thing on which the maintenance of that perilous greatness to which we have attained depends, more than all the rest, it is colonization, the opening of new markets, the creation of new customers. . . . What we want is not to draw off driblets from our teeming multitudes, but to found new nations of commercial allies. . . . The uttermost portion of the world is our inheritance; let us not throw it away in mere supineness, or in deference to the wise conclusions of those sages of the discouraging school who, had they been listened to, would have checked, one by one, all the enterprises which have changed the face of the world in the last thirty years."

The division of opinion in America is evident from a study of the maps of the period. One, dated in 1830, indicated by a dotted line a boundary at 49°, extending directly across Vancouver Island. Another placed the line, according to the wishes of the author of a book of history, at 54° 40′.

There were Americans who refused to believe the discouraging words of English critics, that colonization of the territory, however bounded, was impossible except by men from the Old World. Immigration societies were formed. One of these was the Oregon Colonization Society. In 1830 a pamphlet issued to arouse interest in the country told how Thomas Jefferson had first suggested the plan of colonizing the territory in dispute. The author of the pamphlet, who was no mean real-estate boomer, thought that "the time had fully come when that uncultivated tract is to be changed into a fruitful field; that haunt of savages and wild beasts, to be made the happy abode of refined and dignified man."

Once again a writer who held a brief for the new country said:

"The Oregon Territory holds out to the American citizen every inducement to settle. The valleys of the Columbia River and its tributaries alone are estimated at 350 square miles [evidently something was wrong with his figures]. The mouth of the Columbia River is the finest site in the known world for a commercial city. It is within ten days' sail of the Sandwich Islands, and within thirty days, on an unruffled ocean [see how optimistic he was!] of Canton. In the hands of a free and enterprising people, there is scarcely any limit to the opulence of such a city. To the United States it would be a most invaluable possession."

By 1835 popular interest had become so great that President Jackson ordered Lieutenant Slacum of the *Loriot* to go to the Columbia, visiting both Indians and whites, to ascertain the nationality and purposes of each immigrant, and to learn his sentiments toward the United States, as well as to the idea of allowing any European power to have possession of the country.

Among other settlers, Slacum found on the Willamette River Jason Lee, who was not only in charge of a mission station, but was in touch with many of those who had sought a home in Oregon. During his visit a meeting of these people urged the lieutenant to take with him to Washington a petition in which they asked that the protection of the laws of the United States be extended over the Oregon country.

When the emissary returned to the national capital, he pleaded that the request of the distant settlers be granted. The report was heard by Congress; there were a few expressions of surprise and interest, then the papers were filed away and forgotten.

This was what Lee had feared. So he made up his mind to go to Washington with another petition. A company of American citizens gathered at the mission and signed a paper to Congress. Thirty-six men signed —ten missionaries, seventeen other Americans, and nine French Canadians, or three-fourths of all the male white inhabitants of Willamette Valley.

The petition told of the fertile soil, the vast timber tracts, the rich pastures, the rolling prairies, the plentiful streams, and the mild climate. It spoke of the trade possibilities with Asia, and the nearness of the Hawaiian Islands, which must soon become civilized and dependent on the Pacific coast country. It urged that the writers wanted a Christian country for themselves and their children, but that Christian people would not come unless life and property were made safe.

No suggestion was made as to how Congress should act, but the missionaries and their friends made it clear that they were ready and anxious to be loyal citizens of the United States.

Senator Lewis of Wisconsin presented the paper to Congress. The members were astonished. Had they been making a mistake about Oregon? Was the country really worth colonizing? Was there anything in this paper from a lot of missionaries?

An inquiry was sent to Lee, asking for further information. He could only repeat what he had said before, emphasizing his points and urging the necessity for prompt and definite action. In closing he said:

"You are aware that there is no law in that country to protect or control American citizens. And to whom shall we look, to whom can we look for the establishment of wholesale laws to regulate our infant but rising settlements but to the Congress of our own beloved country? The country will be settled, and that speedily, from some quarter, and it depends very much upon the speedy action of Congress what that population shall be and what shall be the fate of the Indian tribes in that territory. It may be thought that Oregon is of but little importance, but, rely upon it, there is the germ of a great state. We are resolved to do what we can to benefit the country, but we throw ourselves upon you for protection."

For some reason Congress was still slow to act on the information. Nothing was done at the time but to authorize the use of five thousand dollars of government funds toward the expenses of the company of American citizens Lee was planning to lead when he returned to Oregon.

The next step of moment was taken in 1838 by President Monroe in his message to Congress. He spoke of "the propriety of establishing a military post at the mouth of the Columbia River, or at some other point in that quarter within our acknowledged limits." Such a post would "furnish protection to every interest and have a tendency to conciliate the tribes of the Northwest, with whom our trade is extensive," as well as encourage trade with the interior, on both sides of the Rockies.

More, the President asked an appropriation for a frigate, with an officer of the corps of engineers, "to explore the mouth of the Columbia River and the coast country," that the proposed post might be located at the most suitable point.

Unfortunately, the request received the treatment accorded to Lee's petitions. In fact, so little attention was paid to the repeated warnings and recommendations, that, in 1838, the *Oregonian,* one of the colonization pamphlets, sent out a ringing message:

"If the United States permit the territory to fall into the hands of England, she would, in time of war, be enabled from that quarter to send against this country an immense force. With a well-appointed mounted force on the fleet steeds of the valley of the Columbia, that force, with the necessary munitions of war and provisions, could ascend the southern branches of the Columbia River to where they almost interlock with the Platte and other streams, which fall into the Missouri River, and . . . after surmounting slight difficulties . . . they would soon make their way to the great plains of the West. Over these boundless prairies roam numerous Indian tribes who pass regularly from north to south, and from south to north, hanging on the flanks of the countless herds of buffalo that perform their periodical migration over the great American desert. . . . Will Great Britain fail to secure, by every application, the friendship, trade, and aid, in a war with us, of the numerous fierce tribes scattered along our extended frontier?"

Elijah White, who led the first independent party of emigrants to Oregon, made a report to Congress concerning the country. In this he, too, spoke words of warning and patriotic appeal concerning the residents of the lands in dispute:

"Here they have found themselves hemmed in on the one side by the Pacific Ocean, on the other by the Rocky Mountains, in the midst of, and surrounded by, many thousand Indians, whose lands they have been obliged to settle—thus following the offer and invitation of this Government until they have found themselves in the above described condition. Will the Government encourage our citizens to emigrate to a country so remote as Oregon, and then not protect them? Certainly not."

Neither fear of conflict with Great Britain nor dread of the Indians of the plains deterred the continued emigration of men and women who believed those who said that there was good land to be had in Oregon. In 1841 there were so many Americans in the country that they found necessary their first civil government, and in 1843 a provisional government was organized.

These marooned Americans found another champion like Jason Lee. In 1842 Dr. Marcus Whitman, who had been living for more than six years on the banks of the Walla Walla, near the site of Walla Walla, Washington, felt that it was time to make another effort to arouse Congress in behalf of Oregon. Canadian settlers were coming to the upper valley of the Columbia. They had been brought over the mountains by the agents of the Hudson's Bay Company, who knew that the Oregon country would be possessed by the nation that first succeeded in settling it. Would immigrations from Canada give to British citizens so much power that American citizens would be compelled to yield their plan to make the country their own?

On October 3, 1842, the earnest patriot mounted his mule and set out for Washington; ahead of him lay the long journey of nearly four thousand miles. Would he live to complete the trip and lay before Congress the letter from the hopeful Americans? He knew the dangers of the way, but he was not afraid. "My life is of little worth if I can save the country to the American people," he said, earnestly, to the friends who watched the beginning of the journey, to General Lovejoy, his companion, and the Indians who were to show the way.

In eleven days Whitman was at Fort Hall, 645 miles on the road. There he was told that the trip he planned, in the winter season, was foolhardy. But the adjournment of Congress was but little more than four months away; he must reach Washington with his message before

March 4. What if snow was already twenty feet deep in the mountains? What if streams had become raging torrents? He must go!

Because of the deep snow a new route through New Mexico was chosen. This would be much longer, but it would probably prove a saver of precious time, even if he was the first man to take that route.

Some distance south from Fort Hall a severe snowstorm began. Progress was slow because of the drifts. No sooner was the storm safely left behind than another burst in fury on the party. Further movement was impossible, and the travelers made themselves as comfortable as they could in a deep, dark ravine. After two days, although the storm had not abated, Whitman resolved to continue the journey. Once out of the shelter of the ravine, the fury of the storm overwhelmed the party and they lost the way and wandered for hours. They tried to return to the camp in the ravine, but they could not find their tracks. Dr. Whitman knelt in the snow and asked for God's guidance and protection. When he rose, the guide observed the action of the lead mule, which, after turning his long ears in various directions, began to plunge through the drifts.

"Follow the mule! He'll get us through," the guide shouted.

Sure enough, in two hours they were back at the camp in the ravine.

The next serious interruption was at the Rio Grande. The river was six hundred feet wide, but frozen only two hundred feet from either bank. Even in the summer season this is one of the most treacherous rivers of the West. The guide said the open stretch of water could not be crossed, but Whitman rode his horse into the very flood. General Lovejoy wrote in his journal:

"Away they went, completely under water, horse and all, but directly came up, and after buffeting the waves and foaming current, he made for the ice on the opposite side, a long way down the stream, leaped upon the ice, and soon had his noble animal by his side. The guide and I forced in the pack-mule and followed the Doctor's example, and were soon drying our frozen clothes by a comfortable fire."

This was the most trying experience of the journey. But there were more storms and more rivers to cross. It was one of the severest winters ever known in that country. If the northern route had been chosen it is doubtful if Whitman would ever have reached the Mississippi. As it was, his feet and hands and ears were frozen.

Food was scarce. The faithful dog was eaten; then a mule was killed. Fortunately the meat thus secured lasted until the party came to Santa Fé.

At last Washington was reached, on March 3, 1843. With the directness of a man who knew just what he wanted, Whitman pleaded the cause of Oregon. He urged that, at the very first opportunity, an end be put to the period of joint occupation with Great Britain, and that the laws of the United States be put in force in the territory. He spoke of his regret that Oregon had not been mentioned in the treaty so recently ratified with Great Britain, as to other boundaries, but he said he hoped this error would be corrected at an early date. He told of the smiling, fertile land that was waiting for the settlers, of his hope that more settlers would come from America, and of his feeling that more would arrive until there was a stable government.

Before his return to Oregon he put in writing the substance of his arguments, outlined a plan for a territorial government under the United States, and told in detail of a practicable route for immigrant trains across the plains and the mountains. The documents were forwarded to Washington from one of the stopping-places in his journey made to induce a company of homeseekers to return with him to Oregon.

He was successful in his efforts; a large company gathered. The plans for the journey were made by him, and he was the ever-present helper of the travelers.

After many adventures and privations, Fort Hall was at hand. There Captain Grant, the scout of the Hudson's Bay Company, tried to dissuade the settlers from taking their wagons and farm tools with them. He pointed to a yard full of wagons and tools which settlers had left behind. The immigrants were ready to do as he asked, until Whitman promised to help them through the mountains, wagons and all. How he succeeded in the task he set himself may be judged from a single incident of the way, after Fort Hall had been left behind.

"When the immigrants reached the Snake River, Dr. Whitman proceeded to fasten wagons together in one long string, the strongest in the lead. As soon as the teams were in position, he tied a rope around his waist and, starting his horse into the current, swam over. He called to others to follow him, and when they had force enough to pull at the rope, the lead team started in, and all were drawn over in safety; as soon as the leading horses were able to get foothold on the bottom, all were safe, as they, guided by the strong arms of the men pulling at the rope, pulled the weaker ones along."

From the Snake River the caravan—one hundred and twenty-five wagons, one thousand head of cattle, sheep, and horses, and about one thousand men, women, and children—went northwest, through the Blue Mountains, and Grande Ronde, and on to the valley of the Willamette.

And Oregon was won for the United States, won by a peaceful invasion. The immigrants, delighted by their new home, wrote East telling of that wonderful country. They wrote to Congressmen and Senators, urging the United States to make Oregon a part of the country.

In the meantime events had been moving rapidly in the diplomatic contest between Great Britain and America. The year 1842 saw Lord Ashburton in Washington, under instructions to negotiate concerning the boundary. His chief concern was to be the northeastern boundary, but he was to pay attention also to the Oregon question. He was authorized to agree to the line of 49° as far as the Columbia, then down that river to the Pacific, but it was hoped by many that he might be successful in making the boundary a line due west from the summit of the Rockies to the north of the Snake River, then down the Columbia to the sea.

Of course no such terms could be accepted by America, and his effective work was confined, therefore, to the northeast boundary line.

Negotiations were continued from time to time. In his message to Congress in December, 1843, President Tyler spoke hopefully of the outcome:

"While nothing will be done to compromit the rights or honor of the United States, every proper expedient will be resorted to in order to bring the negotiations now in progress of resumption to a speedy and happy termination."

The temper of those in power in 1844 was not quite so pacific. The Democratic platform on which President Polk was elected made the unqualified statement:

"Our title to the whole of the territory of Oregon is clear and unquestionable . . . no portion of the same ought to be ceded to England."

"54° 40′ or Fight" was the platform on which Polk was elected. Many leaders thought that war was inevitable.

But there were saner minds. Calhoun said publicly that he thought the statement of Polk that "our title to Oregon was clear and unquestionable" was "unfortunate . . . a fearful blunder." He felt that the thing for Americans to do was "to be quiet, to do nothing to excite attention, and leave time to operate." Yet when Calhoun was Secretary of State, in the course of his negotiations with Lord Pakenham, he said:

"There can be no doubt now that the operation of the same causes which impelled our population westward from the shores of the Atlantic across the Allegheny to the valley of the Mississippi will impel them onward with accumulating force across the Rocky Mountains into the valley of the Columbia, and that the whole region drained by it is destined to be peopled by us."

By this time the Cabinet of Great Britain seemed to be becoming aware of the fact that there would be war if they did not abandon their extreme claims. For when Lord Pakenham was conducting the negotiations of 1844, in Washington, he was at first told to insist that all ports south of 49° should be made free ports; if this could not be granted, the joint occupancy should be continued. Later, however, he was given to understand that the Cabinet might consider favorably a proposition to make 49° the boundary, on condition that the ports to the south be free and that the navigation of the Columbia be free to both nations.

This proposal was in accordance with the message sent by Minister Edward Everett from London in 1843:

"The present government, though of course determined not to make any discreditable sacrifice of what they consider their rights, are really willing to agree to reasonable terms of settlement."

And he was proved correct in his judgment when, a little later, Queen Victoria said that "no effort consistent with national honor should be wanting on her part to bring the controversy to an early and peaceful termination."

In America voices were raised in protest against the extreme claims made during the campaign in which Polk was elected. In the House of Representatives a speaker said:

"Candor compels us to admit that just so far as we strengthen our title to all south of 49° by the acts of Captain Gray and Lewis and Clark, so, north of that line by the discovery and explorations of Fraser's River by Mackenzie, a British subject, in 1792, is the British title strengthened to the country drained by its waters. If the law of nature aids us in deriving title from this source, it should be allowed equally to aid our antagonist."

A lecturer in Boston also argued against extreme claims, but for other reasons:

"Rather than have new States formed beyond the Rocky Mountains, to be added to our present Union, it will be a lesser evil, so far as that Union is concerned, if the unoccupied parts of the Oregon Territory should sink into Symmes' Hole,[1] leaving the western base of the mountains and the border of the Pacific Ocean one and the same. But as this consummation—however devoutly it may be wished—can hardly be expected, I deem it very desirable that the question of boundary shall be speedily adjusted . . . by adopting the parallel of 49°."

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[1] John Cleves Symmes was an American soldier who published his theory that the earth is a hollow sphere, habitable within. He supposed that, at 82° north latitude, an opening into its interior existed. This became known as Symmes' Hole.

In time President Polk began to urge a compromise on the basis of 49°, though it is true that his readiness to take that boundary was due to the feeling that the country north was unfit for agriculture, and useful only for the fur trade.

Concerning the proposed compromise, Polk's Secretary of State, Buchanan, wrote in 1845:

"Should it be rejected, the President will be released from the embarrassment in which he has been involved by the acts, offers and declarations of his predecessors. Afterwards, if the difficulty can only be resolved by the sword, we may then appeal with confidence to the world for the equity and justice of our cause."

A statesman of the day appealed for moderation that would welcome proper compromise. His message was a call to the people of both countries to modify their belief that "the contested territory belongs exclusively to themselves, and that any concession which might be made would be a boon to the other party.

"Such opinions," he went on, "if sustained by either Government and accompanied by corresponding measures, must necessarily lead to immediate collision, and probably to war. Yet a war so calamitous in itself, so fatal to the general interests of both countries, is almost invariably deprecated, without distinction of parties, by all the rational men who are not carried away by the warmth of their feelings."

But in spite of moderate appeals, extreme feeling was permitted to find further expression. On August 26, 1845, the Cabinet decided that, since Lord Pakenham had rejected the American proposal of 49°, the right to all the country from 42° to 54° 40′ would be asserted. The offer of compromise would be withdrawn, since it had been rejected in language "scarcely courteous or respectful."

The withdrawal by the United States of the offer to make the parallel of 49° the boundary, because of this treatment, seemed to make an impression on the statesmen of Great Britain, and when, in December, 1845, President Polk recommended that Congress assert the American title to all of Oregon, that the required twelve months' notice of the termination of the joint occupation agreement be given at once, and that it be asserted that the Monroe Doctrine should be considered as applying to Oregon, the impression became still more marked.

It was carefully explained by the President that, when once the notice of the termination of the early treaty was given, it would be necessary to quit any policy of dalliance, and to determine once for all if the claim to Oregon was to be abandoned or not. "That they cannot be abandoned without a sacrifice of both national honor and interests is too clear to admit of doubt," was the incisive assertion of the nation's Chief Executive.

That attitude was approved in the Senate when Albert Gallatin said, "The exclusive right of the United States to absolute authority over the whole territory must be asserted and maintained."

Of course such assertion would mean war. Gallatin talked calmly of the expense of the war. He reminded his hearers that the failure in the War of 1812 came because there had not been sufficient preparation for that war. The same mistake must not be made a second time. He even calculated expenses:

"I am very sure that I fall below the mark in saying that, after the first year of the war, and when the resources of the country shall be fully brought into action, the annual military and naval expense will amount to sixty or seventy millions of dollars."

What would Gallatin have said to a prophecy that, a little more than seventy years later, the United States, fighting as an ally of Great Britain, would spend in a single day the annual sum whose mention was probably received with bated breath!

When, early in 1846, Secretary of State Buchanan suggested that the President recommend to Congress that steps for national defense be taken, the proposition was received with favor by many in the Cabinet. At the same time the Senate asked if, in the judgment of the President, the time had come to increase the naval and military force. On March 24 a message to Congress from the President spoke of the warlike preparations in Great Britain, and recommended that land and naval forces be prepared for war. "The only way to treat John Bull is to look him straight in the eye," was the very undiplomatic language used in his diary by the President.

The country was divided. The South felt that it would be better to compromise on the line of 49° than to fight. But in the North many of the Democrats were for 54° 40′.

Yet there were many in the North who favored 49°. One of them spoke out bravely in a pamphlet which he called, "Oregon—the Cost and the Consequences."

"Let it be supposed . . . that we shall succeed in getting possession of the much-coveted territory. What benefit will the people on this side of the Rocky Mountains gain by their association with the people on the other side? So long as the inhabitants of Oregon shall be too poor and too weak to govern and protect themselves, we shall have the honor of being at the expense and inconvenience of protecting them; but whenever they shall become sufficiently powerful and willing to become an independent nation, can

LYMAN GLACIER, WASHINGTON

BOUNDARY MONUMENT ON MAIN DIVIDE OF THE ROCKY MOUNTAINS it be expected that their representatives will cross barren mountains and deserts, thousands of miles, in order to bear the laws made with the aid of strangers? . . .

"It should be remembered that married men, for the most part, think very unfavorably of belligerent measures for the acquisition of Oregon, and would not deem it prudent to invest money in any government stock issued for the purpose of asserting a claim to a worse than useless territory on the coast of the Pacific."

Very similar was the statement of the author of *The Oregon Controversy Reviewed:*

"Those who contemplate the Oregon Territory as the future seat of a large number of States united with our confederacy, indulge, as I think, in visionary dreams. Railroads to the Pacific? Ports on the Pacific? These might be of great advantage to settlers in that country, especially if we pay the cost. But how could they serve us? What could be raised by agricultural settlers in that region which would pay the expenses of transportation hither by railroad? Would it serve any purpose to transport lumber from the Rocky Mountains? Or bring produce of any kind? Furs will soon be out of the question. And to bring the agricultural production of such a climate to the Western States would be to carry coals to Newcastle.

"But granted that commercial intercourse with Oregon may some time become profitable to the country, it may be as advantageously carried on should Oregon become an independent state, as if it was received into the bonds of our confederacy."

Fortunately, the country was saved from war. The news was allowed to filter out in England that President Polk might not be unfavorable to the notion of asking the Senate to consider 49° as a boundary, provided that, coupled with this arrangement, there was assurance that the navigation of the Columbia would not be made free to Great Britain. Soon a proposition was submitted to Parliament, proposing the boundary at 49°, to the Strait of Juan de Fuca. It was asked, however, that the Hudson's Bay Company should have the right to navigate the Columbia in their quest for furs.

When the proposition was made to the United States, the Senate advocated that it be accepted. So the treaty was made on June 15, with the provision that, when the line of 49° reached the inlet from the ocean, it continue "to the middle of the channel separating the continent from Vancouver Island, and then south along the middle channel and San Juan de Fuca Strait to the Pacific."

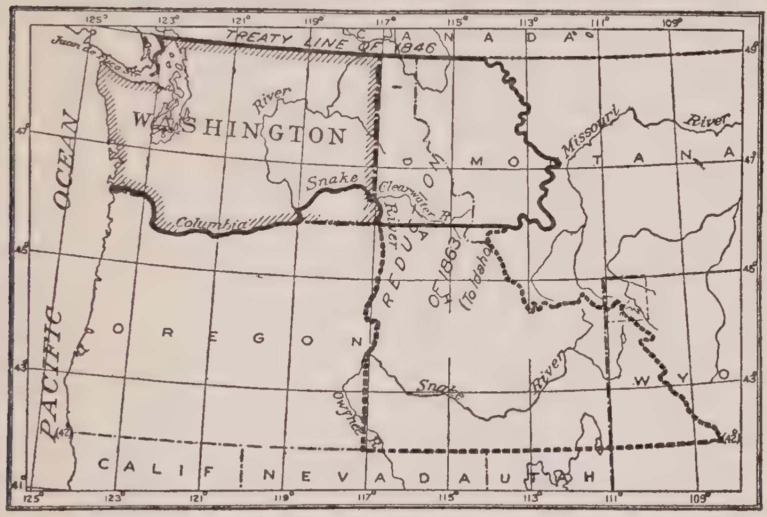
Thus within a few weeks was settled peaceably a question that for nearly thirty years had threatened misunderstanding and even war.

In 1848 Oregon Territory was organized, with limits extending "west of the summit of the Rocky Mountains and north of the forty-second degree of north latitude." In 1853 Washington was formed out of the territory, with the Columbia River as the dividing line.

A curious map of 1856 shows Washington and Oregon extending east to the line of Nebraska, which, in turn, was bounded on the east by Minnesota and Iowa.

After the treaty came the marking of the boundary. The task was accomplished slowly and sedately. The 410 miles along the forty-ninth parallel, from the summit of the Rocky Mountains to the Strait of Georgia, was surveyed by a joint commission made up of engineers from both countries, between 1859 and 1862. To define their work boundary marks were set up. The distance between these marks varied according to the character of the country. Stone pillars, iron pillars, rock piles, and even mounds of earth were utilized in this final section of the 1,725 miles of land boundary between the United States and Canada. The primitive marks of the early survey were replaced in 1907 by pillars of aluminum or bronze, set at intervals of not more than four miles. Each was fixed in a concrete base, weighed 250 pounds, and rose to a height of five feet.

The final marking of the water boundary—the last 150 of the 2,195 miles of water boundary between the countries—was provided for in the treaty of April 11, 1908. The treaty planned for the marking of the entire 3,980 miles of the international boundary.



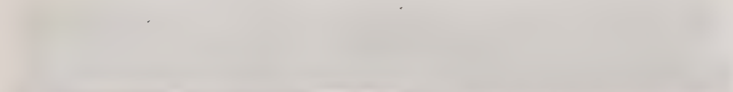
THE SECTION OF THE OREGON COUNTRY FINALLY AWARDED TO THE UNITED STATES

The work was begun in June, 1909, when ten men set out from Port Townsend, Washington, with a launch and two boats. The full story of their adventures would be most interesting. The imaginative reader of the laconic government document issued in 1921 is able to picture the storms and the narrow escapes which were taken as matters of course by the engineers. The recital of their progress from Tatoosh Island Lighthouse to Pillar Point, then to Old Dungeness, the site of an abandoned town, and on to Kanaka Bay on San Juan Island—the island of the controversy precipitated by a pig—is rather dreary for the average reader. But there is a thrill in the narrative of what happened on Rosario Strait before the camping-place in San Juan was reached.

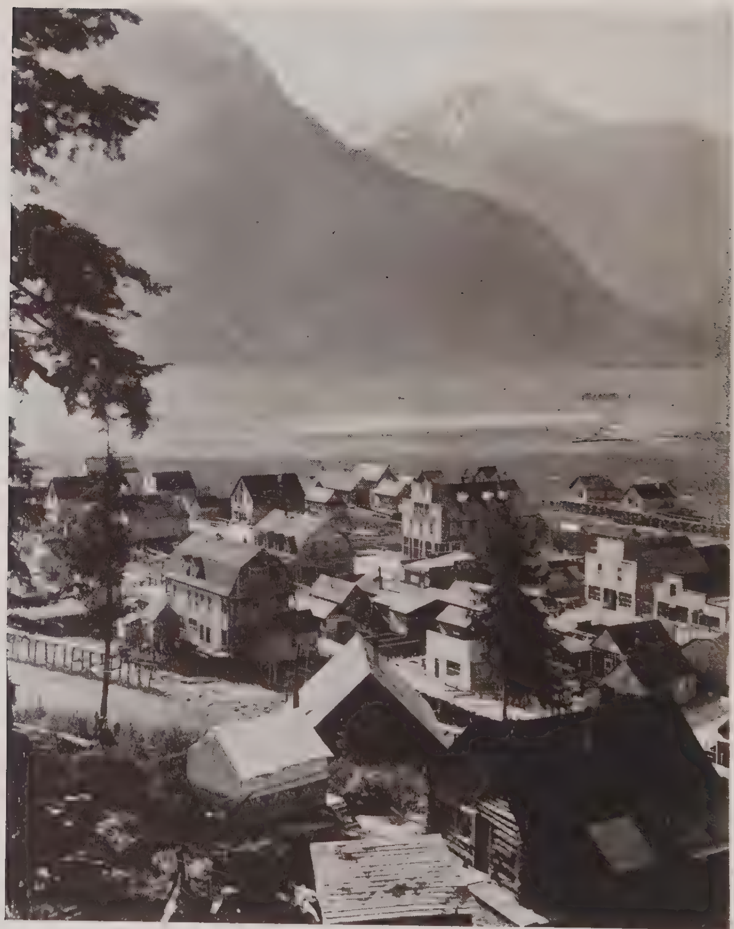
"The Strait had to be crossed at the widest place, a detour of over twenty miles, and as a heavy sea was likely to be encountered in crossing, it was decided on as a matter of safety not to attempt to move the whole outfit at one trip. During the first trip across the Strait with half the outfit, on the morning of August 19, there was little wind, and no sea, but, while the outfit was being unloaded, the wind started to blow from the west and in a short time a heavy sea was running, which made the trip back to Dungeness a very rough one. When in the middle of the Strait the skiff in tow broke loose and was lost. All the next day the gale continued with increasing violence, and it was not safe to attempt to cross the Strait with the remaining outfit until the morning of the 21st."

After many like encounters with the winds and the waves the line was marked to the Pacific Ocean.

CAPE FLATTERY



CAMP OF UNITED STATES BOUNDARY SURVEYORS AT OLD DUNGENESS, WASHINGTON



HYDER, ALASKA, ON THE PORTLAND CANAL

CHAPTER VIII

THE ALASKA BOUNDARY

IT was a comparatively easy matter to determine the eastern line of the main portion of Alaska, on the meridian of 141°. The difficulty came in connection with the strange Panhandle that extends for six hundred miles southeast of Mount St. Elias, to Dixon Entrance, the last of the bits of open ocean where the swell disturbs passengers who find delight in the long inside passage from Seattle to Skagway, through intricate channels, among islands where the forest primeval comes down to the water's edge, and finally for many miles along the Lynn Canal, with majestic glacier-bearing mountains on either hand.

Though the eastern limits of the Panhandle were not marked for many years after the purchase of Alaska from Russia, events soon called attention to the necessity of a clear understanding and accurate surveys.

The discovery in 1873 of rich placer mines in the Cassiar region of British Columbia, which could be reached most conveniently by the Stikeen River from Wrangell, in the Panhandle, was responsible for the suggestion that the boundary be marked carefully for hundreds of miles, and not merely at the point where the river passes from Canadian territory into that of the United States. But the estimated expense, $1,500,000, the share of the cost to be borne by the United States, seemed too great to those who might have pushed the proposition, and nothing was done.

More than thirty years Canadian customs-houses and Hudson's Bay Company's posts moved back and forth as the international boundary was changed. It is recorded that five different places were accepted as the temporary boundary.

Then came an incident which forced a bit of delimitation.

In 1876 a Canadian officer arrested a man charged with a crime committed in Canadian territory. The attempt was made to lead him across the strip of American territory, on the way to Vancouver. While the men were in camp about thirteen miles from the mouth of the Stikeen, the prisoner, in attempting to escape, committed an assault on the officer. The attempt failed and the criminal later was tried and convicted at Vancouver. But there was a necessary halt in the legal procedure when the convicted man claimed to be an American citizen. When his plea came to the attention of the government, the Secretary of State approached the Canadian authorities. They delayed an answer until they could send surveyors to the Stikeen, with instructions to determine the location of the camp site where the assault was committed. The result made plain the fact that this spot was within the territory of the United States, as defined by the treaty between Great Britain and Russia, concluded in 1825. This treaty called for a line following the summits of the mountains, except where the summit was more than ten marine leagues from the ocean; in such case the boundary was not to extend farther east than the ten leagues.

The convicted man was accordingly released; he, an American, had been tried by a Canadian court for an offense committed in American territory.

But the extent of the territory of the United States did not seem to be of much concern to Canada until the discovery of gold in the Klondike. The arrival in Seattle, on July 19, 1897, of a steamer from Alaska, bearing one hundred excited miners who had made rich finds in the new bonanza, attracted attention to the country. Some of these men had with them as much as one hundred thousand dollars in nuggets and dust.

What a stir was made in all parts of the world by the news of this arrival! And how natural it was for Canada to desire a port in the north country, within her own boundaries, from which her citizens could start on their search for gold without the necessity of crossing the territory of another country! This Canada could have, if the boundary at the southern limit should be placed in Pearse Canal or inlet, instead of in Portland Canal. That claim, made before a joint boundary commission in August, 1898, was destined to lead to years of uncertainty and many attempts to find a solution for what Canada thought was a real problem, though the United States held that there was no problem at all. Had she not held undisputed possession of the territory for many years?

Another step taken by Canada in her search for an all-Canadian route to the Klondike was the plan—it was never anything else than a plan—to build a railroad from the head of navigation in the Stikeen River to Lake Teslin, that fifteen days might see the gold-seekers from Vancouver to Dawson at the junction of the Yukon and the Klondike.

At about the same time the United States was trying hard to find an all-American route to the gold fields. Neither country was satisfied with the route from Skagway, at the head of the Lynn Canal, over White Pass, and on to the headwaters of the Yukon, then down the stream to Dawson. For Canada would have to begin the journey in American territory, and America would have to finish in Canadian territory. So, while Canada sought for a change of boundary and a railroad, the United States sent an engineer to Alaska, who reported that Americans might go to Valdez, then up Copper River, across to the Tanana River, on to Eagle, then up the Yukon. Even then, it was found, it would be necessary to go beyond the boundary nearly one hundred miles before reaching the goal.

Americans as well as Canadians were attracted by what they thought the easier route from Wrangell, up the Stikeen 125 miles to the head of navigation, then overland 145 miles to LakeTeslin and from there by water to Dawson, 526 miles more.

The popularity of the route was brief. The Stikeen River trip is one of the most wonderful in the world—in fact, John Muir has called it "A Yosemite one hundred miles long." But the eager fortune-hunters were oblivious to the grandeur of the surroundings. They fretted because the little steamer placed on the Stikeen for their accommodation could make only slow progress against the swift current—the fall is 540 feet in 125 miles. And after leaving the river they were dismayed by the hardships of the route to Lake Teslin.

Many of them found their way back to Wrangell, and began their journey again, this time going northwest to Skagway. Wrangell's boom collapsed speedily. One who visited the town at that period spoke of the tide line edged for a quarter of a mile with flimsy pine buildings and fragmentary footwalks on stilts. Huts crowded upon any vacant spot and whitened the hillside, and there were about six thousand people there. But when the Stikeen route was abandoned in favor of Skagway the fall of Wrangell was great.

Then came the question of utilizing the Stikeen River steamers. A bold man proposed that they be taken to the mouth of the Yukon, thousands of miles away across the stormy waters of the North Pacific. The prophecies of disaster were of no avail. "A dozen of the useless river steamers were boarded over at the bows and attempts made to tow them," reported an adventurer who was at Wrangell. However, prophecies proved only too true, for when the boats were in the open ocean "the seams parted under the strain of waves and hawsers, and the flimsy river boats went to pieces, drifting ashore in hopeless condition."

So Wrangell and the Stikeen River were left behind while the gold-seekers hurried on up through the twisting Narrows where the stream picks its way amid clustering islands, and between banks where the trees rush down to meet the water, and at length to the curious Lynn Canal, the fiord-like trough between mountains tipped with snow, where waterfalls leap from lofty precipices, where glaciers are so common that it is almost impossible to keep track of them. Of these strange masses of slowly-moving ice, many of which reach far back toward the boundary line on the land, an appreciative member of the United States Geological Survey has written:

"The glaciers have wonderful purity of color. The predominating tint is a beautiful robin's-egg blue, which changes into pure white on the upper part, where the solid ice grades into the less compact frozen snow. Their surfaces are fantastically carved, pinnacled and turreted, and irregular masses stand out in relief, which the imagination can transform into strange groups of figures."

At first the traveler wonders why there was so much difficulty in deciding just where the boundary should run on this almost impassable ridge. What difference would a few miles make?

Perhaps not so much on the Lynn Canal stretch as farther south, on some of the other inlets. The Canadian claim made in 1898 when the Joint Boundary Commission met in Quebec, that the line should run close to the coast, crossing the inlets, could not be allowed by the United States, since the narrowing of the strip would give most of the inlets to Canada.

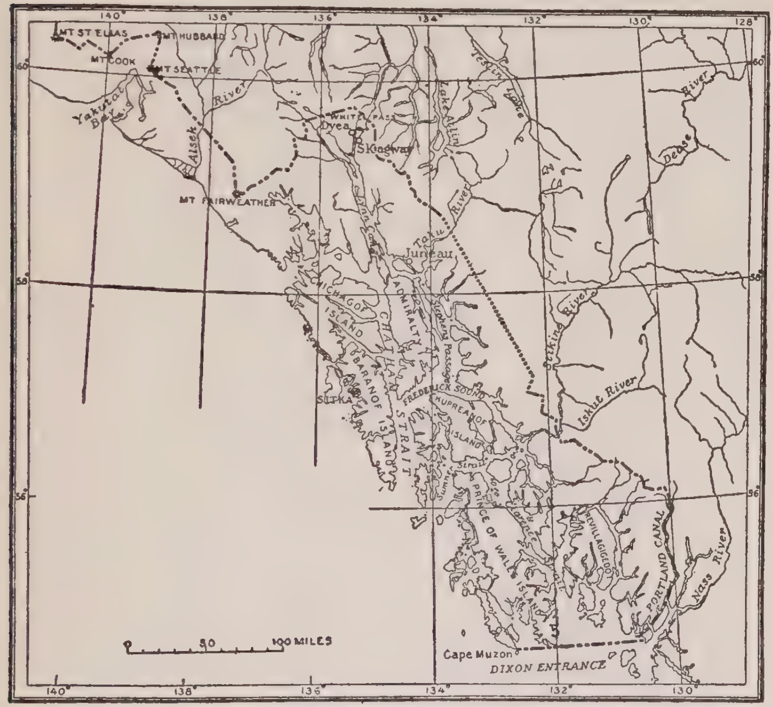
The proposal of Great Britain that the question be submitted to arbitration was not accepted by the United States, the friend of arbitration, because she felt there was no question to arbitrate.

Five years passed. Then a tribunal of three Americans, two Canadians, and an Englishman met in London to weigh the claims and the evidence. They listened to the contention of the United States that the line, after passing up Portland Canal, to the parallel of 56°, should follow the summit of the coast range to the meridian of 141°. If there proved to be, in places, no mountains close to the coast, the line should be fixed ten leagues from tidewater.

They were informed by the testimony that the records of the House of Commons showed that in 1839 the Hudson's Bay Company recognized Russia's right to territory thirty miles from tidewater. In the course of hunting and trapping on the rivers leading back from the coast there was so much misunderstanding that the company finally agreed to pay to Russia for the free use of their territory a rental of two thousand otter skins a year. The rental was later changed to £1,500 a year.

When the evidence was all in the American commissioners, Elihu Root and Henry Cabot Lodge, were joined by the English chief justice, Lord Alverstone, in voting in favor of the American contention.

The boundary having been fixed in accordance with the decision, nobody thought there could be a change. There has been, and can be, no change on the part of the two governments. A change has been made, nevertheless, but by the quiet, resistless action of nature. How this change was made, and how important it has been, was pointed out by a scientist, Professor Lawrence Martin, in 1913. Writing in the *Scientific American Supplement* of glaciers to the west of the Lynn Canal, he said:



MAP SHOWING AWARD OF ALASKA BOUNDARY TRIBUNAL, OCTOBER 20, 1903

"Because of certain great advances and retreats of Alaskan glaciers, the boundary of Alaska is located differently from similar international boundaries, which are determined in relation to mountain ranges and permanent coast lines. If the portion of the boundary near Glacier Bay and Muir Glacier were to be redetermined now, Alaska would include a portion of British Columbia. If the boundary near Mount St. Elias and Yakutat Bay had been located early in the nineteenth century, Alaska would have included part of what is now Yukon Territory."

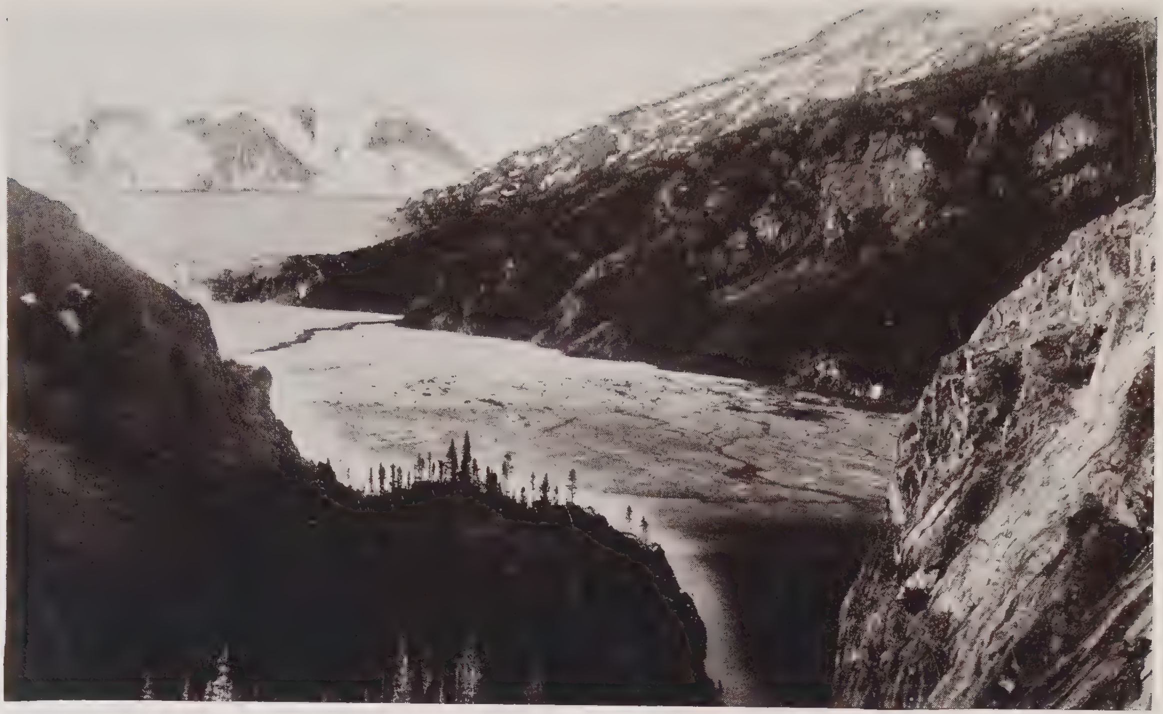
All this is due to the fact that certain glaciers have advanced or receded from twenty to sixty miles. "And as the glaciers, rather than the solid land, determined the coasts, an element entered into the situation which was not considered by the Joint Boundary Commission."

Alpine glaciers move very slowly, but Alaskan glaciers move with comparative rapidity. Moreover, the Alpine glaciers do not extend to the sea; they stop at 5,200 feet above sea level. In other parts of the world the lower limit of the glaciers is as high as 14,000 feet. In Alaska, on the contrary, they push down until they reach the water, into which broken masses fall and become icebergs.

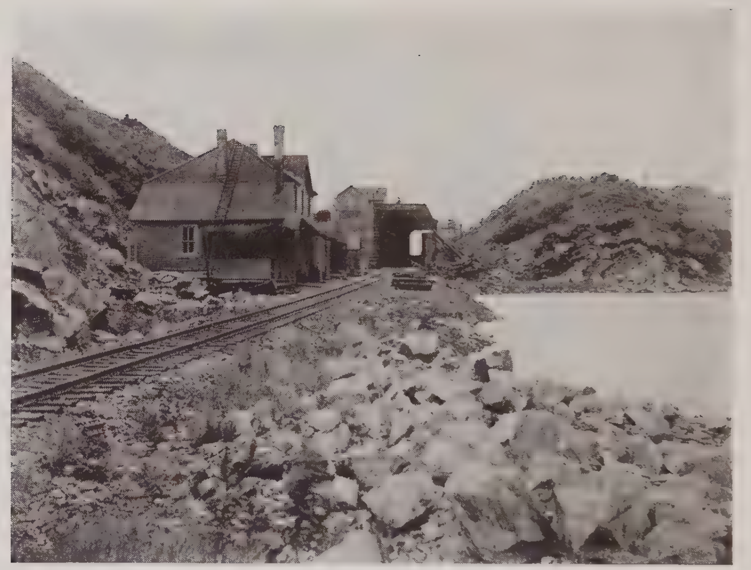
The story of the change in Glacier Bay is startling. In the late eighteenth century the bay was filled with ice to within two or three miles of its mouth. A few years later the glacier advanced still farther, "pushing a ridge of ground in front, overwhelming towns, forcing natives to retreat from their encampment on an island near the mouth of the bay."

When John Muir visited the bay in 1879, he found that the glaciers had dwindled into mere ice tongues. One of these, which became known as Muir Glacier, had retreated twenty miles or more. Another had withdrawn forty miles. Of course the retreat had opened up a great body of water, a fiord that was not in existence in earlier days.

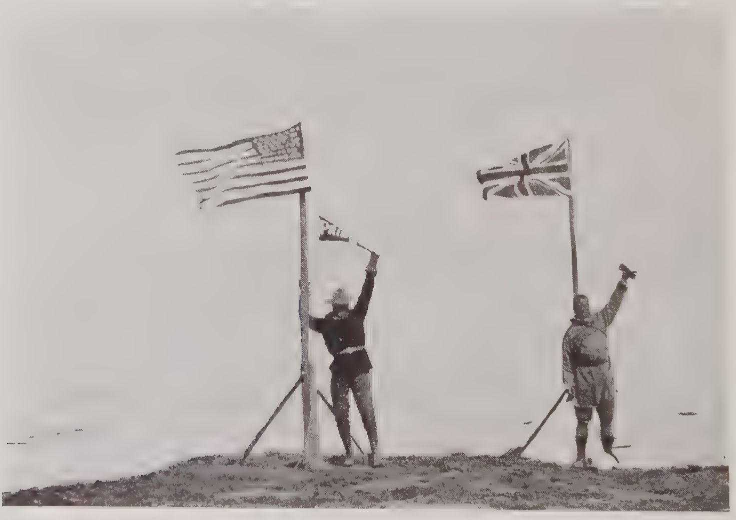
The boundary was fixed in accordance with the location of the Muir Glacier snout in 1894. Yet by 1911 the ice had retreated nine miles more.



LLEWELLYN GLACIER, NEAR THE BOUNDARY, LAKE ATLIN, B. C



ON THE WHITE PASS AND YUKON RAILWAY
(THE BOUNDARY CROSSES THE TRACK IN THE BACKGROUND)



ON THE SHORES OF THE ARCTIC OCEAN
(THE BOUNDARY BETWEEN ALASKA AND CANADA IS BETWEEN THE FLAGS)

In August, 1912, it was found that the Grand Pacific Glacier had retreated to such an extent that its terminus was in British Columbia, instead of in Alaska, as had been planned, so that Canada had acquired a new harbor! To reach this new harbor, it was necessary to pass through American waters.

But the day will come, in all probability, when this glacier, like others, will advance once again, and the Canadian harbor will disappear.

The gold-seekers gave no thought to the advancement or the retreat of the glaciers; they were interested only in their own advancement to the Klondike. In the rush to the gold fields they landed at Dyea, and later on at Skagway, and made their weary way over Chilkoot Pass, or over White Pass, struggling toward the boundary line at the summit.

The story of that struggle is an epic of American history. The hardships endured soon became unnecessary, by reason of the building of the White Pass and Yukon Railway, from Skagway, along the valley, then twisting up the rugged, forbidding White Pass, then crossing the boundary into British Columbia.

Before the days of the railroad Indian packers asked from fifteen to forty cents a pound to convey the miners' supplies over the pass. Later a road was built, after a fashion, over the most difficult portions of the way, and tremendous tolls were charged for its use. Relics and reminders of this crude roadway, its builders, and those who used it, may be seen to-day from the car windows, down in the deep gulch far below where the passenger sits in comfort as the powerful little narrow-gauge engine pulls its load up the steep grade which totals 2,850 feet in 20 miles. The figures do not do justice to the difficulties encountered, however; much of the elevation was conquered by the road-builders in one section, where the triumphs over obstacles are marvelous.

The road is interesting not merely because of difficulties encountered; other mountain roads have accomplished wonders. It commands attention also because of its unique history and because of its international character; it starts at sea level, in American territory, climbs twenty miles to the limits of the coastal strip, then takes a bold plunge into Canadian country toward the headwaters of the Yukon and toward the once golden beyond. Once a traveler to whom the railroads of Canada had extended the courtesies of their lines from the Atlantic to the Pacific said, with a smile: "The only fare I had to pay on the whole trip from Sydney, Nova Scotia, to Dawson, in the Yukon, was on the twenty miles of railroad in this strip of Alaska. And there they charged me twenty cents a mile! But it was worth it! Where is there a railroad ride to be compared to it?"

Sometimes passengers do complain of the high fare, while shippers resent the charge for freight. But no complaint is heard from those who learned by awful experience what it meant to the pioneers of 1897 and 1898 to have no railroad over the White Pass.

Enterprising developers secured a franchise for the road when the gold-maddened men were forcing their way in endless procession over the mocking white barrier of the pass. When they could not raise the funds to carry out their plans, they pledged their rights to London bankers for a loan. When the pledge was not redeemed, the English firm decided to build the road in far-away Alaska. Cy Warman, the picturesque writer on railroad topics, said it was a thing almost unheard-of in the history of American railways, "that these men, away across the continent, and beyond the broad Atlantic, came to the conclusion without ever having seen the country, or having a representative look the ground over." Perhaps it was as well; investigation might have led to decision to let the franchise lapse, not merely because of the sullen mountains to be crossed, but because of the great distance from the source of supplies.

"It can't be done," were the first words the engineers heard when they reached the scene of action. "Look at those great precipices! Note that there are no inside canyons, no room to swing for the heavy grades." But the engineers had just come from the Colorado mountains, and they had learned to rejoice in difficulties. Before them was a man-sized job, and they went at it with eagerness.

A brief interruption was caused by the war with Spain; London money barons were afraid of what might happen to America. But this fear was forgotten when the news of Dewey's victory at Manila Bay was flashed around the world, and the builders were told to go ahead as rapidly as they could.

Of course there were the prophesied difficulties, and others also. There was trouble about securing the desired franchise to use the main street of Skagway, which had grown in little time from nothing to a town of ten thousand inhabitants. After one of the most spirited public meetings to protest against yielding the street, the builders set to work, and before morning had a track laid and an engine puffing triumphantly up and down before the stores of merchants who stood aghast. They had learned how to deal with the vagaries of reckless men, but they were children in the hands of the unseen London bondholders.

Then there was snow to contend with; even at midsummer it was tremendously in evidence. Many precipices were so steep that the surveyors found it necessary to be let down with their instruments by ropes, and then to make their calculations by the clumsy method of triangulation. Frequently, in order to gain a distance of a few hundred feet, they had "to climb for hours over, or around, high, almost perpendicular cliffs, and then slide down to the line again."

When the graders followed the surveyors, troubles multiplied. Far down in the gulch the procession of toiling men, Yukon-bound, was almost continuous, day after day. Therefore débris must not be thrown down upon them or upon their road. "So they would blow down the side of a mountain, fill the trail, or wagon road, climb down, clear the trail, and then climb back to the grade again."

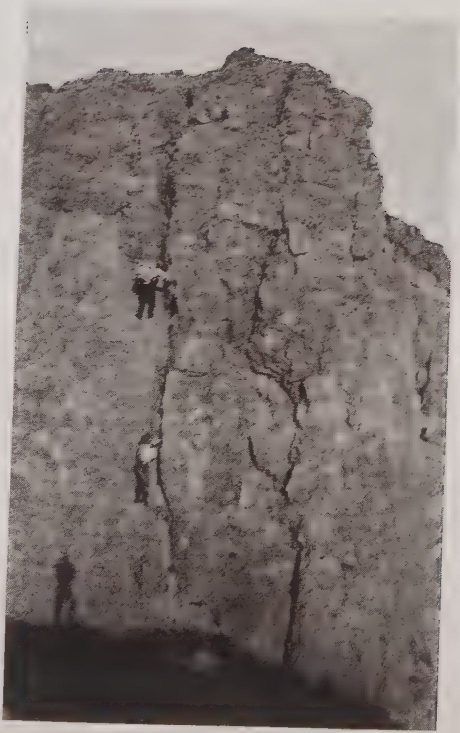
One day came word of the discovery of gold at Atlin, not far away in British Columbia. Of course hundreds of the workmen deserted, carrying with them their sixteen-dollar shovels. The sorrow of the construction company at their defection was succeeded by sorrow on their own account; in Atlin they were soon confronted with the new law of British Columbia which forbade Americans to make mining claims.

Boundary troubles came closer to the railroad company when the Northwest Mounted Police politely but firmly insisted that construction must cease at the international boundary line. Even that delay was ended, though not for some time; but on October 5, 1898, the workmen were allowed to proceed on Canadian soil.

Winter set in. Snow had an ally in wind, which knows how to blow terrifically on the boundary heights. It is related in the annals of the road builders that once the men spent a whole day raising a single bridge bent on the sills, though there were men in plenty, as well as a steam hoister. The wind-driven snow was often so dense that it was im-

GOLD SEEKERS TRACKING ALONG THE ICE, LAKE LA BARGE, YUKON TERRITORY

GOLD SEEKERS OF 1898 IN A TYPICAL SCOW, BOUND FOR THE KLONDIKE



BOUNDARY SURVEYORS ON GLACIER BAY

possible to see across a chasm forty feet wide which was to be bridged, and even a shout was silenced by the wind.

Spring came, then summer, and with it the long days when two shifts of men worked throughout the twenty-four hours; no artificial light was needed.

Thus the road was built down to Lake Bennett, then to Carcross, and finally to White Horse, the head of navigation on the Yukon. Surveyors mapped out the route much farther, and plans were made to continue to Fort Yukon, far on the way to Dawson. But the wise builders knew when to stop: traffic fell off as the Klondike rush abated. So the White Pass and Yukon Railway halts still at White Horse.

But a triumphant answer had been given to those who had said, "It will not pay," for "the twenty miles from Skagway to the summit earned enough to pay the cost of the extension to Bennett, paid operating expenses, and left a balance." The first $130,000 earned after the road was completed to Lake Bennett showed a net profit of $100,000 over operating expenses. In August, 1899, the cost of running was $25,000; the earnings were $200,000. This on fifty miles of road! Profitable railroading, if that pace could be maintained!

Of course it was not maintained. But the railroad still gives splendid service. Those who are fortunate enough to stand in the observation car or on the rear platform as one of the numerous summer passenger trains climbs to the summit will understand the enthusiasm which led John Burroughs to write:

"After the road leaves Skagway River its course is along the face of precipitous granite peaks and domes, with long loops around the heads of gorges and chasms, occasionally on trestles over yawning gulfs, but for the most part on a shelf of rock blasted out of the side of the mountain. The train stopped from time to time and allowed us to walk ahead and come face to face with the scene. The terrible and the sublime was on every hand. It was as appalling to look up as to look down; chaos and death below us, impending avalanches of hanging rocks above us. How elemental and cataclysmal it all looked! I felt as if I was seeing for the first time the real granite ribs of the earth; they had been cut into and shivered and they were real and solid. All I had seen before was but scales on the surface by comparison; here were the granite rocks, sweeping up into the clouds, and plunging down into the abyss, that held the planet together."

Akin to the work of the pioneers who built this marvelous railroad was the performance of the joint commissions appointed by agreement of the Canadian and American governments to map the twelve hundred miles of the boundary from Portland Canal around to Mount St. Elias, and across the peninsula to the Arctic Ocean. The first part of the task was difficult because of mountains that seemed too steep to climb, glaciers that impeded progress most unexpectedly, crevasses that opened their yawning chasms in most unfortunate places, rapid rivers that threatened destruction to anybody who braved their turbulent waters, snow fields where a man might sink suddenly to his armpits, and would be saved only by the rope tying him to his fellows.

But even more full of thrills was the work of those who marked the boundary along the meridian of 141° from Mount St. Elias to the Arctic Ocean, in accordance with the Washington Convention of 1906. The Herculean task was not completed in a single season, nor was it done in straightforward fashion from south to north.

The beginning of the line was run in the summer of

1907 at the intersection of the meridian with the Yukon River, below Dawson, and it was continued in sections, north and south, in succeeding summers. The time available was only from June until late September. But in seven seasons the boundary marking was completed; in 1913 the final joint report of the commissions was made, and the men who had endured countless hardships together separated with keen regret.

During the seven summers scores of monuments were set after laborious investigation and computation. Lofty mountains were climbed and barren ridges were crossed. There were numerous "nigger-head" swamps, where the "pack-horses became mired and exhausted and the tempers of men were stretched to the breaking-point. There were so many streams to be crossed that count of them was lost. Supplies had to be ferried across these rivers in log rafts, while the horses swam. Or perhaps progress was with the stream; then supplies were dragged by man power, which led one who knew of the work of the surveyors to write with feeling:

"A man who has never had the loop of a tracking line around his shoulders little knows the dead monotony of lining a boat up a swift Alaskan river with nothing to think of but the dull ache in his tired muscles and the sharp digging of the rope into his chafed shoulders."

The intensely absorbing report of the commission, issued by the Department of State, is full of narratives, strange, grim, tragic, and humorous. The tragic note was sounded in the very first report, which told of the forty-eight pack-horses, from Washington State, which furnished transportation during the season. These animals, after passing through the perils of the season, perished miserably in a blizzard during the winter. Each year the horses were a problem. Some winters all the animals would "come through," while again every head perished.

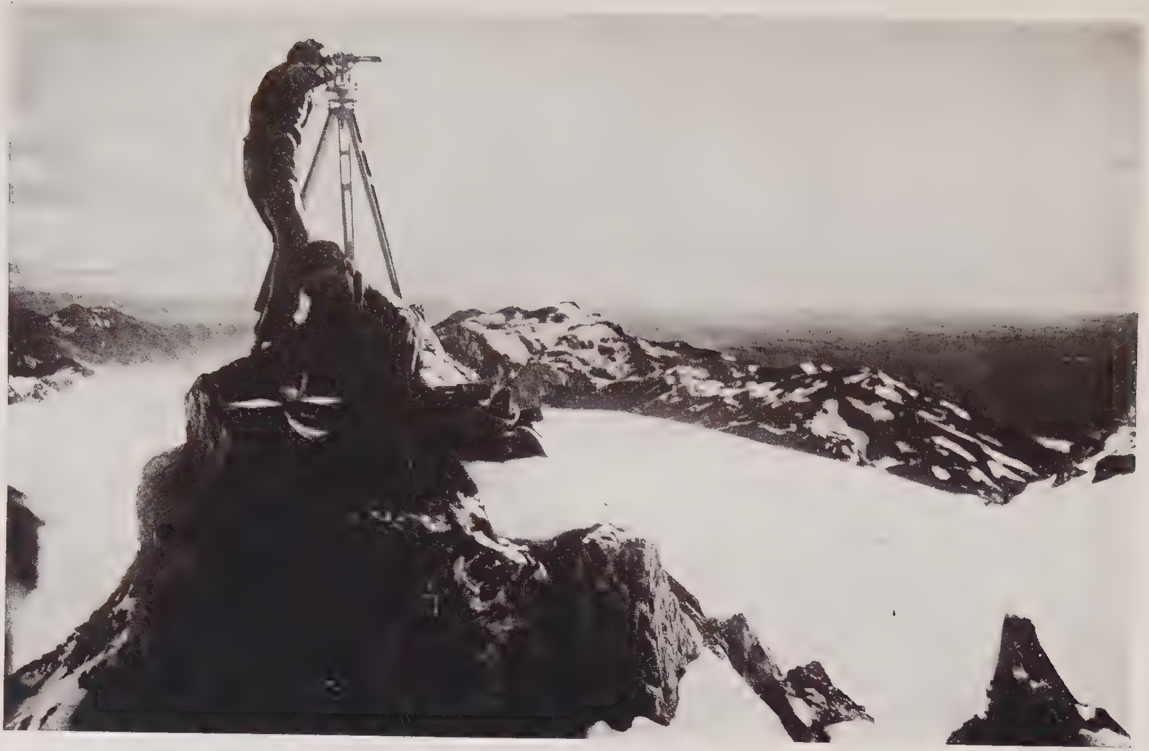
Early in that first season the Yukon near the boundary gave up the body of a man who had been drowned at Dawson. A telegram to that city brought an officer of the Northwest Mounted Police, but as the body had been landed below the boundary line in the United States, the police were unable to handle the case. The United States authorities at Eagle could furnish no funds, so the boundary surveyors made a rough box of packing-cases, used canvas for wrapping, and buried the unfortunate man close to the boundary line. The chief of the party read the burial service.

During the season of 1909 a bit of adventure was disposed of simply in a report which told of the trip behind Mount Natazhat, which is 13,440 feet high:

"The trail led over the divide on glare ice, where steps had to be cut for nearly half a mile, then down a long ridge of loose scoria and out at a badly broken fork of the Klutlan Glacier. It began to snow, but we had to go on, as it would have been impossible to recross the divide in the storm, and reached camp at 8:30, worn out and chilled to the bone, and found the hut down and everything wet or frozen. We shoveled away the snow for a small space with snowshoes, put up the tent as best we could, and crowded into our scanty bedding. During the night it snowed twenty-five inches, and continued snowing the greater part of the next day. Even with the coal-oil lamp burning full blast and three men in the little seven-by-seven tent, the thermometer registered only 32°."

And this was on the 11th of August!

During the fifth season, when near Rampart House, the pack-horses excited the curiosity and cupidity of the Indians. They wondered about the horseshoes, for they



OBSERVING FROM BLACK TIP, NEAR THE ALASKA BOUNDARY

THE YUKON RIVER AT THE BOUNDARY BETWEEN ALASKA AND YUKON TERRITORY said, "The moose and the caribou do not need them." They had no word in their language for horse, so they called it "the big dog." When they found that a horse could carry 250 pounds, they were eager to own a specimen; but their eagerness abated when they were told that horses will not eat fish, as dogs will.

One of the picturesque, though laborious, features of each year was the "vista cutting"—the clearing of a twenty-foot vista through the forests to mark the boundary. The trees were thick, and sometimes it was necessary to cut a swath for many miles. Fortunately the growth of timber on the boundary in Alaska is very slow, so that such a vista, once provided, will remain for many years.

On July 18, 1912, the Arctic Ocean was reached, and the standards of Great Britain and the United States were unfurled, with appropriate exercises, and the task was complete, except for the filling in of a gap south of the Yukon River.

An incident of the summer was the ascent of Mount St. Elias, which had been conquered for the first time in 1896 by the party of the Duc d'Abruzzi, who planted the tricolor of Italy on the summit, 18,024 feet above the sea—the loftiest point on the United States boundary.

The final report of the commission closed, simply:

"Two hundred and two monuments mark the line from the Arctic Ocean to Mt. St. Elias, a distance of 645 miles. A vista twenty feet wide is opened out through all the timber, triangulations carried north and south from the Yukon control all frontiers along the Boundary, and a belt, averaging four miles in width, has been mapped for practically the entire distance."

CHAPTER IX

TIMES OF TROUBLE ON THE TEXAS BORDER [1]

TEXAS brought its problems to the United States years before the people applied for admission to the Union, when it was still a province of Spain.

The United States owned Louisiana. But what were the limits of that magnificent territory bought from France? There were uncertainties in several directions, but especially as to the southwestern line between Louisiana and Mexico.

In 1806 it was feared that the dispute would lead to war. Spanish troops threatened to invade the territory in dispute. It was even thought that they meditated an attack upon Natchitoches, Louisiana.

At that time General Wilkinson, whose headquarters were at St. Louis, was military governor of Upper Louisiana. Having learned of the danger, he assigned Colonel Cushing to duty on the border. His expedition consisted of several companies of men, together with sufficient artillery. And, since communication would be difficult, he was told to act according to his own judgment.

Later General Wilkinson received orders from the War Department to go to the scene. His instructions were clear:

"It is highly probable that within a very short time we shall receive accounts of a satisfactory adjustment of all disputes between ourselves and Spain. Hostilities ought, therefore, to be avoided by all reasonable means within our power, but an actual invasion of our territory cannot be submitted to."

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[1] Although this chapter is included in the section of the book dealing with International Boundaries, the chapter includes also, for convenience, matters of State Boundary interest.

The story of what followed is told briefly by Henry E. Chambers in *Mississippi Valley Beginnings:*

"Wilkinson, upon his arrival upon the scene, found that the Spaniards had encroached upon Louisiana. But before beginning open hostilities which might have precipitated a war between the two countries, he first tried the expedient of arranging a conference with the Spanish commander, to endeavor, if possible, to persuade him to retire beyond the Sabine, both to await the result of the negotiations pending between their respective countries. In this Wilkinson was successful, the Spanish troops withdrew, and there was created a neutral zone between the opposing forces. Upon the establishment of this neutral zone is based the boast of a western parish (county) of the present State of Louisiana that they are citizens of the 'Free State of Sabine.'"

Some years passed before the final conclusion of the negotiations as to the boundary. In 1819, when the United States wished to buy Florida from Spain, willingness was expressed to yield, as one consideration, all claims to some of the lands in dispute.

But the representatives of Spain at the making of the treaty said, humorously, concerning the proposed article as to the concession:

"That article might . . . have been expressed thus: 'In exchange the United States cedes to His Catholic Majesty the province of Texas,'—but as I had been for three years maintaining that the province belonged to the

King, it would have been a contradiction to affirm in the treaty that the United States cedes it to His Majesty."

The accepted reading of the article was as follows:

"The United States hereby cedes to His Catholic Majesty, and successors forever, all the rights, claims and pretensions to the territories lying west and south of the above described line."

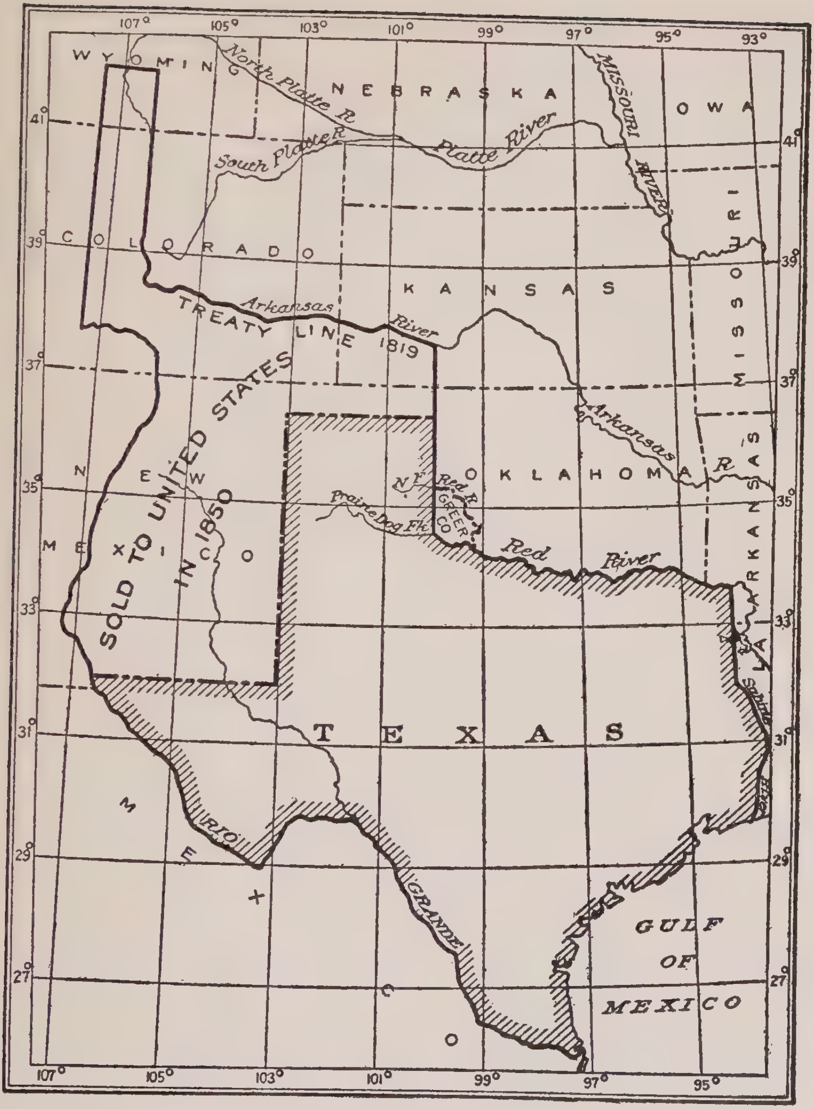
The compromise line was the western bank of the Sabine River.

The ratification of the treaty was opposed in the United States Senate by Thomas H. Benton, who expressed his sorrow that one of its provisions "disunited the valley of the Mississippi, mutilated two of the noblest rivers, brought a foreign dominion (and it non-slave-holding) to the neighborhood of New Orleans, and established a wilderness barrier . . . to interrupt trade, separate inhabitants, and shelter the wild Indian depredations upon the lives and property of all who wished to pass through it."

So when, in 1836, Texas made its first application for admission to the Union, Senator Benton saw his opportunity for retrieving what he felt was a sad mistake. He appealed to his associates, basing his words on a reference to the treaty of 1819 with Spain.

"We went into it blindly. The great importance of Florida, to which the public mind was strongly awakened at that time, by peculiar circumstances, led us precipitately into a measure by which we threw or gave away what would be as bright as Florida. Under any circumstances, Florida would have been ours in a short time."

He went on to say how we had been induced to purchase Florida by giving up a territory ten times as large and a hundred times as fertile, and by giving five million dollars into the bargain. Then he concluded:



HISTORICAL DIAGRAM OF TEXAS

"Sir, I resign myself to what is done; I acquiesce in the inexorable past; I propose no wild and chimerical revolution in the established order of things, for the purpose of remedying what I conceive to have been wrong originally. But this I do propose: that we should seize the fair and just occasion now presented to remedy the mistake which was made in 1819; that we should repair as far as we can the evil effect of a breach of our constitution; that we should re-establish the integrity of our disunited territory, and get back into our Union, by the just and honorable means providentially offered to us, that fair and fertile province which, in an evil hour, we severed from the confederacy."

But the time was not ripe for the reception of Texas; not until December 29, 1845, was it admitted as a state with its princely boundaries.

Three years later the historic boundary—the Sabine River—was changed so as to include "one half of Sabine Pass, one half of Sabine Lake, also one half of Sabine River."

The next chapter in the Texas story was a reduction of her boundaries, of course with her consent. The United States wanted a large area, varying in width from three hundred miles to perhaps forty miles, which extended through present New Mexico, Colorado, and into Wyoming. The government paid $16,000,000 for this large section of the Lone Star State.

A portion of the boundary line between Texas and New Mexico, as established by the cession, became of special importance in 1866. This was the crossing of the Goodnight and Loving Cattle Trail, from Weatherford, Texas, southwest to the Pecos River, then up the Pecos into New Mexico, to Fort Sumner, where the United States government needed beef for the nine thousand Navajo and Apache Indians who were being fed there.

In the desolate Pecos River country the pioneers who made the trail had an adventure with Indians which is one of the marvelous tales of pioneer life. One incident of the almost incredible story is worthy a place by the side of the story of the spider that saved Robert Bruce; it tells of a rattlesnake which saved the life of Joe Wilson, a man of the trail who was the helper on the trip of the partners who made the trail.

Loving had been wounded by an Indian. Wilson was caring for him, while Indians were all about. Anne Dyer Nunn has told what followed:

"As Wilson lay beside Loving, waiting tensely for anything that might happen, he observed a slight movement of some tall weeds a few feet away. He knew that an Indian was creeping through them, parting them with his lance as he came—the Comanches always carried lances. The Indian came nearer and nearer. He was about to poke his head from the weeds, when a huge rattlesnake roused up right in front of him.

"The reptile gave a loud warning and then glided off in the opposite direction, which was toward Wilson. To his unspeakable horror, it came to his side and quite chummily coiled itself. His life now hung by a thread. If he fired at the Indian, who, he knew, was even now leveling his gun at him, the noise would cause the snake to strike; but Wilson feared the snake more than he did the Indian, so he remained perfectly still. The Indian then fled from the uncanny scene, evidently frightened by the performance of the snake, for this was the sort of thing which aroused the superstition of the old-time redskins. Finally the snake glided away into the bushes."

Some distance northwest of Weatherford, the starting-point of the Goodnight and Loving Trail, is an area of more than two thousand miles, title to which was in dispute for more than fifty years. This area was known as Greer County. It lay between the main portion of Red River, the North Fork and the South, or Prairie Dog Town Fork.

The boundaries of Texas as recognized by the United States called for the main portion of Red River as the northern limit. Texas said that the North Fork was the main stream, and therefore claimed all territory south of it. But that claim was not allowed.

Finally, in 1896, the Supreme Court, after taking more than one thousand printed pages of testimony, decided that Greer County had never belonged to Texas, but was subject to the exclusive jurisdiction of the United States. Two months later Greer County was added to Oklahoma.

But the Red River boundary presented a problem far more troublous than that of the territory between the forks. Where was the true boundary of Texas? At what point in the stream does Texas end and Oklahoma begin? Isaiah Bowman, in his masterly paper on the question, says that this was "the most complicated boundary dispute on record anywhere." Then he adds:

"A settlement of the question involved research in history, physiography, plant ecology, surveying, engineering and hydrology, as well as the law. From a geographical standpoint the case is undoubtedly unique. It is also one of the tensest cases on record in the United States. Yet by a decision of the Supreme Court a boundary 321 miles long in a straight line, or a distance as great as from Vienna to Berlin, or from Berlin to Warsaw, or from London or Paris to the Ruhr, was finally settled not by troops, or a plebiscite, or an elaborate treaty, but by a mere pamphlet consisting of fourteen pages of printed

DOWN ON THE RIO GRANDE

A SMALL SIDE CANYON LEADING INTO THE RIO GRANDE GORGE

THE ALAMO, SAN ANTONIO, TEXAS

text. The only guards required about the receivership area, as established by the court, pending a decision, were small white stakes, marked 'U. S. Supreme Court Temporary Point, No. —.' "

Although the territory along the Red River includes some of the populous portions of Oklahoma and Texas, the question of the boundary did not come under decision until 1918. The raising of corn and cotton and stock on the farms bordering on the stream did not have much to do with the river bed. But when, in 1918, oil was discovered in the Red River Valley, matters took on a different aspect. For it was soon found that "among the richest oil pools are those that lie under the bed of the river itself and the flood plain and adjacent border of the valley floor." Mr. Bowman says:

"Up to the time that oil was discovered, the moderate or normal economic value of the land and of the broad, half-dry bed of the river throughout the upper half of the boundary zone led to the undisputed occupation of the land down to the cut bank of the river on either side, but when oil wells were drilled the question of location became important down to the last foot, not only from the standpoint of the property owner himself, but also from the standpoint of the State and its expected increase in taxable wealth."

It was pointed out that the discovery of oil at a given point on the floor of the Red River Valley gave rise to four chief questions: Does the land belong to Texas, or does it belong to Oklahoma? If it belongs to neither, then it must belong to the north shore riparian owners, including a large number of Indian allottees, or to the United States, or in part to one and in part to the other.

In reviewing the case the Supreme Court found that when the boundary on the Red River was discussed between Secretary of State John Quincy Adams and Señor Onis from Spain, the decision was reached that the southern bank was the boundary, and that the river and the islands were the property of the United States.

But what change had the stream made in its channel in the course of one hundred years? The study of the territory was prolonged and most minute.

In the meantime Texas, unwilling to run the risk of losing valuable oil territory, sent militia to the Big Bend in the oil country, the central point of the disputed territory. This was in 1920. On the authority of the Supreme Court, "armed conflict between rival aspirants for the oil and gas" was narrowly averted.

In making its decree it was the task of the court to decide more than the fact that the boundary of Texas was on the south bank. It was necessary also to define that bank—a difficult matter in the case of a shifting river (in reality many rivers in one) like the Red River.

On April 11, 1921, it was announced: "The boundary intended is on and along the banks at an average or mean level attained by the waters in the periods when they reach and wash the bank without overflowing it."

Half of the bed of the stream belongs to the United States, since the Red River is unnavigable, and the beds of navigable rivers only belong to the state. This decision meant that on the south half of the bed, the property of the United States, private claimants had no rights. The north half of the bed belonged to the owners of the land on the adjacent bank.

It was necessary to define the bed of the stream. So the decision said it includes all of the area which is kept practically bare of vegetation by the wash of the water of the river from year to year.

The final decision in the troublesome case was rendered

January 15, 1923. Up to that time oil lands estimated to be worth $200,000,000 were in the hands of a federal receiver who had taken charge when the federal government intervened in the dispute between Texas and Oklahoma.

It was thought by some that the decision would end difficulties. But this was an error. To quote from Mr. Bowman once more:

"The effect of the decision is that both the cut banks and the medial line are constantly on the move legally as well as in fact, and hereafter as well as heretofore. It will result that a well located immediately south of the medial line of the river bed, the property of the United States before a flood, will become the property of a riparian owner in Oklahoma after the flood. This will have its inconveniences, but the Court must have thought it to be the lesser of two evils. In any case, as a practical matter, it gives to the United States a maximum of the proceeds of the oil actually taken out of the river bed, on account of the apparent tendency on the part of the river to increase the width of its bed. It seems to be crowding out progressively toward the valley walls on both sides, so that the total amount of land eroded on the two sides exceeds the total amount of land elsewhere built up on both sides. The discrepancy is marked, and it may be significant of a continuing process that will greatly advantage the United States in the future extraction of oil from the river bed."

One illustration of the fruitfulness of the country in providing more disputes was seen by a suit brought by Texas in the Supreme Court, decided in November, 1924. Texas claimed that the federal receiver of oil lands long in dispute should pay not only a gross production tax, but a pipe-line tax as well. The court decided that the production tax must be paid, but that it was inexpedient to grant the pipe-line tax, since this would require the readjustment of many of the receiver's accounts, and would delay the distribution of the proceeds.

So the end of Texas's boundary troubles has not come. Probably the Supreme Court will be asked for further decisions at least so long as oil wells in the Red River produce. Probably when oil has been extracted, there will be new developments that will cause disagreement and lead to legal battles.

CHAPTER X

FROM THE GULF OF MEXICO TO SAN DIEGO

A STARTLING and most unexpected proposition was made to the government by Commissioner John R. Bartlett, one of the men to whom was intrusted the survey of the southern boundary of the United States immediately after the Treaty of Guadalupe-Hidalgo had changed the line between Mexico and its northern neighbor.

The sentence in which this suggestion was made read:

"From my experience of nearly three years with horses, mules, asses, and oxen, and with wagons, carts, and packs, I do not hesitate to hazard the opinion that the introduction of camels and dromedaries would prove an immense benefit to our present means of transportation, that they would be a great saving to animal life, and would provide facilities for crossing our broad west and prairies not possessed by any other domestic animal now in use."

So he suggested the use of the camel as far north as the northern boundary of Missouri.

After the idea came to him he learned that others who had been responsible for the movement of government supplies in the deserts and on the plains had conceived the same notion. One of these was General Edward F. Beale, whose mind had been grappling with the problem of how to send supplies to the soldiers who must man the new army posts along the border, and elsewhere, made necessary by the increased territory of the nation after the war with Mexico.

The tale of America's experiment with camels in the desert—for the experiment advocated by Commissioner Bartlett was actually made—is really a story of the boundaries.

It was General Beale who had the honor of making to the War Department the suggestion that led to an appropriation. The thought of a camel corps came to General Beale while he was crossing Death Valley in California, in company with Kit Carson. On his journeys he always carried a book. On this occasion the book described Huc's explorations in Tartary. While reading this he became convinced that the introduction of camels to the Western desert of America would rob travel of half its terrors. Kit Carson was not enthusiastic when the plan was outlined, but when General Beale went to Washington to propose it, his reception was different. At that time Jefferson Davis was Secretary of War, and he felt that the proposed camel corps might be practical. At any rate, he was willing to try it.

In May, 1855, the steamship *Supply* sailed for Tunis to secure camels for the experiment. The captain of the steamer had never seen a camel, outside a circus, so he very wisely bought two camels and brought them on board for the purpose of studying their habits, that he might treat the herd intelligently when it should be in his care. Later thirty-three camels were purchased.

In April, 1856, the *Supply* reached Indianola, Texas, with its cargo. After landing the ungainly animals, the commander of the expedition returned to Asia Minor for a second supply. In the summer of 1856 he landed forty-four camels, all seasick.

General Beale took charge of the animals, and declared most enthusiastically to all inquirers that they would revolutionize desert transportation. Inquirers were many, too, for popular interest in this new method of carrying goods was great. From El Paso, Texas, the commander of the camel corps wrote:

"When exactly the right breed is at our disposal, and when one or two Turks or Arabs to the manner born have been induced to remain long enough to familiarize our people with the habits of the camels, complete success will undoubtedly be attained."

An account of the beginning of the journey of the camel trains to the West was written by General Beale to the War Department. There were none in his party who knew the habits of the animals, yet everything went well. There was not an accident, in spite of the predictions of people in San Antonio who said that none of the camels would ever see El Paso. The road was the most trying General Beale had ever seen; every unshod workhorse or mule with the party went lame. Yet not a camel became tenderfooted. "I attribute this," he said, "not so much to the spongy-natured, gutta-percha-like substance which forms their feet, as to the singular regularity and perpendicular motion with which the foot is raised and put down. In horses and mules there is always more or less of a step or a shuffle, but the camel lifts his foot clearly from the ground, extends the leg and replaces it squarely and without the least shuffle or motion to create friction."

Another reason for his enthusiasm was that the camels "live and keep well on food which the mules reject, and which grows in the greatest luxuriance in the most barren of our American deserts, namely the greasewood, a small bitter bush, useless for any purpose I have been able to discover except this. Although they eat grass when staked out to it, if left to themselves they will instantly leave the best forage and browse greedily on bushes of any kind whatever in preference."

On January 21, 1858, the newspapers of San Francisco printed a letter from Los Angeles which told of the arrival of General Beale, with fourteen camels. He was more enthusiastic than ever, and the camels had served him well in all his journeys in the desert.

But the experiment was a failure. The camels could thrive in their new home, but the soldiers and the plainsmen did not like them. It became evident that Americans could not be trained to give them the care they must have, and Arabs could not be imported for the purpose. What would happen when no more experienced camel drivers were available?

At any rate, enthusiasm for the camel died a violent death. Many of the awkward beasts were sold to zoölogical gardens. Others were permitted to stray away from the army posts, and many died of neglect. For years the wandering animals were seen here and there in Arizona and New Mexico. Every once in a while one was killed by a prospector, in a rage because it had stampeded his pack-animals. So, until the railroad came, pack-animals and horses and wagons continued to be the chief dependence of those who had to move supplies across the desert.

Probably the sole relic of the days of the camel experiment is a ruined Arab *khan,* north of Uvalde, near the old fort at Camp Verde. This was an exact replica of the rectangular adobe caravanseries to be seen along caravan trails in Syria and Mesopotamia.

When the commission to locate the boundary line between Mexico and the United States was sent into the wilderness, one of the members was charged to study the country with a view to its adaptability to a railroad near the border. One result was wild forecasts of the wonderful profits to be made by such a railroad. A speaker from Texas in the House of Representatives estimated the cost of a road at $68,000,000, and its income, for freight and passengers, during the very first year of operation, at about $10,000,000! What a profitable undertaking it would have been—that is, if the optimistic forecast could have been made actual! What if wood for ties was scarce? All that the road-builder needed to do was to dig the unfailing supply of mesquite roots in the desert. These had only to be smoothed on the surface, and they would "endure longer than any material ever used for the purpose, except stone." And what if inhabitants tributary to the road were scarce? The traffic provided in other ways would be ample.

The member of the House who startled his fellow legislators by the portrayal of such a future for a railroad told of his regret that Commissioner Bartlett, one of those appointed to take charge of the boundary survey that followed the Treaty of Guadalupe-Hidalgo, had given away the best route for a railroad to the Pacific by a mistake in locating the initial point on the boundary on the Rio Grande; he said that the line was put thirty-four miles too far north, and that the result of the error was to give to Mexico 5,950 square miles that should have belonged to the United States. This error would be costly, since the United States must have the railroad, not merely for the development of the country, but for other reasons. As he explained:

"In the event of a war with any naval power, the first demonstration would be upon California, and our Pacific possessions; and in the present condition of things they would fall before you could afford them aid or relief. We would have no right to march an army through Mexico, or by way of the Isthmus, even if navigation of the Gulf should remain open, and the fate of the country would be decided before you could sail round the Cape or march an army overland through our territory; but with a railroad, you could transport an army there in from four to six days."

Further, he declared that if the road was not constructed, the government would be compelled to line the Pacific coast with a system of forts, costing more to build and man than the expenses of a road, "which would change the commerce of the world and furnish ample defenses."

In this connection it is of interest to note that in early days Colonel Thomas H. Benton, United States Senator from Missouri, had like faith in the efficacy of the railroad as a national defense—the railroad supplemented by the telegraph. In his *Thirty Years' View,* Colonel Benton said that Morse's invention, in connection with the steam-car, was destined to work a total revolution in the arts of warfare. "It puts an end to defensive war on the ocean, to the necessity of fortifications, except to delay for a few days the bombardment of a city. The approach of invaders from any point, telegraphed through the country, brings down in the flying cars myriads of citizen soldiers. It will dispense with fleets and standing armies."

In concluding his vision, the prophet waxed still bolder:

"Far from dreading an invasion, the telegraph and the car may defy and dare—may invite any number of foreign troops to land, and assure the whole of them of death or captivity."

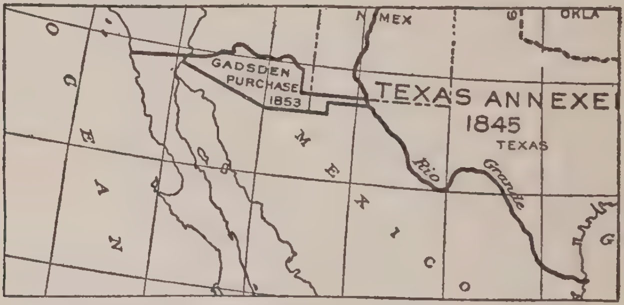
While the coming of the railroad was delayed, arrangements were made in 1857 for a line of passenger and mail stage-coaches, which followed the route of the eight thousand forty-niners who chose to take the southern route when on their way to California. The government subsidized the line with $600,000 a year. At the height of its prosperity there were 100 Concord stages, 1,000 horses, 500 mules, and about 150 drivers. Passengers paid $100 fare from St. Louis to San Francisco.

The day of the railroad along the border was still far distant. Not until 1884 did the Southern Pacific Company have a line running close to much of the boundary. And since 1919 the 148 miles of the San Diego and Arizona Railroad have played hide-and-seek with the line from south of San Diego to El Centro, near Yuma. Tunnels and mountains, gorges and valleys, deserts and irrigated lands, combine to make these miles marvelous. Fourteen miles of the road cost nearly $6,000,000—nearly one-eleventh as much as the optimistic prophet of 1852 said a railroad along the entire border would cost. The tunnel at Tecate, which helped make up the later heavy costs, crosses the boundary; one entrance is in the United States, the other is in Mexico.

This spectacular railroad gives transportation to and from two irrigation projects which have called for delicate conferences with Mexico as to the use of water from the Colorado River. One of these is Yuma, the city of Laguna Dam, which impounds waters that irrrigate many thousands of acres of the most fertile land; the other is Imperial Valley, the strange gift of the Colorado River, where, since 1900, more than half a million acres have been irrigated on the American side, while on the Mexican side the benefited territory is nearly half as large. In the early days of this development Mexico co-operated in the salvation of the valley by giving leave to cut an opening sixty feet wide in the west bank of the Colorado River, in Mexican territory, just below the California line, near Yuma.

Problems such as those provided at Yuma and Imperial Valley were not dreamed of when the boundary line was fixed. But other anxieties were in the minds of those who were concerned about the border. General Sam Houston was one of those who felt most concern. On February 28, 1848, he proposed as an amendment to the Treaty of Guadalupe-Hidalgo that the line should begin just south of Tampico, Mexico, some four hundred miles below its present beginning; then go to San Luis Potosi; thence to the Sierra Madre Mountains; and, finally, along the twenty-fifth parallel to the Pacific Ocean.

If this proposal had carried, the United States would have extended on the Pacific some seven hundred miles south of San Diego, and Mexico would have been deprived of more than one-third of its present territory. Fortunately, the plea of the hero of Texas was not successful, although it was known that General Taylor, whose campaign in Mexico had given him every facility to decide what would be the best line, said that this was the proper boundary.



THE BOUNDARY BETWEEN MEXICO AND THE UNITED STATES

Houston said that the Rio Grande would prove a most unsatisfactory boundary, because of the difficulty of defending it, and the facility with which it could be crossed in spite of all precautions. His arguments were recalled in 1871 and 1872, when complaints from Texas of border

ON THE SAN DIEGO AND ARIZONA RAILWAY
(THE RAILWAY PASSES FROM MEXICO INTO THE UNITED STATES THROUGH A TUNNEL IN THE MOUNTAIN)

RUINS OF OLD PARAJA ON THE RIO GRANDE

ON THE LOWER RIO GRANDE

raids from Mexico led to investigation and claims on the part of the United States. In 1872 Mexico resolved to take a hand in the investigation, and send a commission to the border to study conditions. That commission reported that the complaints of Texans were groundless; that the cattle-stealing for which they mourned was not done by residents of Mexico, but by Indians belonging to the United States, and to outlaws disguised as Indians. Further, the declaration was made that if any complaint was due it was from Mexico, whose border states were overrun with Indians and bandits from the United States.

As a matter of fact, the border was a happy hunting-ground for bandits, smugglers, and other outlaws, from both countries. Even to-day it is difficult to police the line effectively.

But the greatest outlaw of the border was the border itself—at least the eastern section of it, where the waters of the Rio Grande hold sway. This lawless stream has always had a fancy for sudden changes of its channel; in time of flood it liked to leap across narrow necks of land, entirely oblivious of the fact that by so doing it left American soil on the Mexican side, or Mexican soil on the American side.

The refusal of the river to "stay put" led to many disputes that were somewhat like those of the two brothers whose school lunch was put up in a tin bucket, with a boundary line of paper between the two; when the noon hour came it was found that some of the good things from the upper regions had fallen into the lower—and the younger brother claimed all that was beneath the unreliable paper. When he reached home, the older brother made bitter complaint.

Just so protests were heard along the Rio Grande. In the latter case, however, the complaints were from both sides of the river. Take a single instance. In 1859 a Texas ranch-owner welcomed 221 acres from Mexico which joined his ranch. Six years later the river took back much of his land into Mexico. In 1886 the Rio Grande played another joke on the Mexican proprietor of the ranch across the stream; it presented to the Texan landlord much more land than he had lost in 1865.

The result was the appointment of a joint commission from the two countries, charged with visiting the *bancos,* or cut-offs, along four hundred miles of the migrating, unreliable river. This commission made a report in 1912, after five years of toil. And the report was confirmed.

General Miles, who was the American commissioner, recommended that the cut-off be forever eliminated from the boundary line. Automatically the transfer of soil to the Mexican side of the stream should make it subject to the jurisdiction of that country, while when the river presented land to the United States it should be under the jurisdiction of the republic to the north. The inhabitants, if any, could retain their citizenship in the country from which the land came, or they might transfer it, if they were so minded.

Another provision was that a cut-off exceeding 650 acres, and having a population of more than 200, should not be considered a *banco.*

Before making the report, the commission succeeded in uniting eighty-nine *bancos.* After assigning them to the one country or the other, they proceeded to erect monuments on them, so that it would be possible to identify any *banco* at any time.

The Sixtieth Congress confirmed the findings of the commission. Thus many annoyances were taken care of.

So sixty years passed from the survey by the first joint commission before the final details of the boundary were fixed. The earlier expedition began its work as soon as possible after the ratification of the Treaty of Guadalupe-Hidalgo. The interesting government document which tells of its activities relates how there were secured for it, in Newark, twenty-five wagons, including ambulances, or spring wagons, for the transportation of instruments. There were also four iron boats, tents, camp equipage, horses, pack-saddles, and mechanics' tools.

The start was made from the Rio Grande; the destination was San Diego, where the initial point in the boundary was to be fixed. The twelve men in the party reached the Pacific coast city on February 11, 1852. The official report made little of the difficulties of the journey; it is necessary to read between the lines of the laconic message in order to appreciate the real trials of the way:

"All in good health and spirits, notwithstanding we had to encounter numerous difficulties, undergo some hardships, endure some privations—to be exposed to the hostile attacks and depredations of Indians, and subject to the loss of most of our animals and much of our clothing, and were necessarily placed on short allowance—compelled to walk a large portion of the distance, and be our own escort and night guard."

Fortunately, another portion of the report was less laconic. It told of the loss of pack-mules, so that it became necessary to abandon cooking utensils. Later the travelers had to cache the camp furniture and most of the bedding, as well as the books and papers. Then the tents were thrown away, "so that, rain or shine, wet or dry, we had to stop at the end of our day's journey in the open air, without any means of protection by day from the scorching heat of the sun, and at night we stretched out upon the ground, unprotected from the inclemency of the weather, and the cold blasts and chilly atmosphere." The variation in temperature between night and day was frequently sixty or seventy degrees.

A note of gratification was sounded at the end of a further statement of difficulties:

"To cross a wilderness, such as it may in truth be called, from the Rio Grande, to the Pacific Ocean, a distance of more than eight hundred miles, would at any time be a labor of difficulty. But when the whole line is through a desolate region, with a scanty supply of grass for the animals; with large tracts destitute of water, and no means of procuring provisions; and furthermore, when nearly the entire distance is infested with hostile Indians, the work is one for the near completion of which we could not be too thankful."

When the initial monument was fixed, to the south of San Diego, the journey back to El Paso was begun. This brought, in many ways, a repetition of the trials of the westward trip, though perhaps the hardest trial of all was near the close of the expedition, when the way was made across the Medanos or sand-hills, in the vicinity of El Paso. The members of the party expected trouble there, for they were familiar with the stories of emigrants who, when crossing the sands, had to double up their teams. Sometimes twelve and fifteen oxen were attached to a single wagon which, perhaps, was but half laden. Even then the hubs of the wheels would be just above the surface of the sand.

Those in the party of surveyors who wondered how such things were possible learned by bitter experience. In four hours the mules made but five miles. They finally gave up. "The poor creatures held their noses to the ground, and patiently bore the beatings of their cruel drivers. Farther they would not go." It was necessary to rest them until next day, before the short distance of the Medanos still remaining could be crossed.

The monuments which now mark the boundary were emplaced by a joint commission during the years from 1891 to 1896. The heaps of stones which once served were replaced by rock or cast-iron obelisks. These markers are never more than five miles apart. They make plain the way for soldiers, peaceful travelers, brigands, smugglers, and all who go from one country to the other from El Paso ("The Pass") once headquarters of the Spanish rulers, now a proud, modern city; through Douglas, the town of the great copper smelters, which has grown from nothing in an unbelievably short time; past Nogales, many of whose inhabitants are heedless of the fact that their town is on the ancient trail worn years ago by Toltecs and Aztecs and followed later by Spaniards and Jesuits in the advance from Guadalajara to California; within easy reach of the old mission of San Xavier del Bac, between Nogales and Tucson; on to Yuma, the town where the sun shines almost every day in the year, and the thermometer is not doing its duty unless it goes above 100°; across irrigated lands and deserts and mountains, to San Diego on the Pacific.

Seven hundred miles of open country, much of it unstable sand, and one thousand miles or more of shifting river—that is the physical story of the southern boundary. But the human side of the story is not so quickly told. The "line-riders," or mounted customs inspectors, could tell part of that story, if they would. The soldiers scattered from Brownsville to San Diego could tell more. And there would still be something left to be narrated by the consuls, in the towns just over the border in Mexico. Many of these probably would agree with the man who said he wanted to get away as far as possible from the Rio Grande, yet when he was away was just as anxious to return to the country of little rain and much excitement.

Part Two: *State Boundaries*

CHAPTER XI

IN "THE LAND OF STEADY HABITS"

"WHY, gentlemen, the commission might as well have decided that the line between the States was bounded on the north by a bramblebush, on the south by a blue jay, on the west by a hive of bees in swarming time, and on the east by five hundred foxes with firebrands tied to their tails!"

The famous argument of Rufus Choate, with reference to a State boundary dispute might well have been made with reference to Connecticut. For, while that State has always been known as "The Land of Steady Habits," the story of her boundaries, north, east, south and west, had told of perpetual motion—or, at least, motion that began back in the early days of colonial history, and was ended only in recent times.

In the course of these disputes—which were sometimes good-natured, though often they were anything but friendly—maps were consulted, surveys were attempted, and every imaginable effort was made to call boundary marks to bear witness to all sorts of things.

In the course of the battles of the surveyors, more than one incident occurred like that related of investigations in a neighboring state:

"A surveyor recently had occasion to retrace the line of a survey made sixty years ago. The corners were all obliterated. Some had been trees, some were stones and one was called a pine knot. A dispute arose over the locaion of the pine knot. A surveyor was called, and after trying in vain to locate the pine knot, from the other corners as called for, came upon a marked pine tree bearing the date of the particular survey, and traced it out until he came to a point where tradition said the other lines of the survey came to the pine knot. Making search, he found a marked tree on that line, and, bringing the two lines to an intersection on the bearings called for, was preparing to set a permanent memorial, when a workman dug up a piece of wood. On examination, this was found to be the pine knot in question. By removing the accumulation of wood and dirt, the notches with which it had been marked were so clearly discernible that the location was settled."

Sometimes a surveyor was compelled to do even more painstaking work than the searcher after the pine knot. This was true when the search called for blazed trees. But what if a number of blazed trees were found, all in the general location of the line? Which tree was in the right location? In such a case, it was necessary to chop a section out of one of the blazes, and then count the rings indicating the growth of the tree, between the blazed scar and the bark. Since one year's growth is indicated by each ring of wood, it was possible, by counting the rings, to tell if the right number of years had elapsed since the time named in the survey.

The seeds of dispute as to Connecticut's boundaries were sown in 1614, when the Assembly of the States General of the United Netherlands granted to the United Company of Merchants the right to trade on the sea coasts between New France and New England.

Six years later came the Warwick Patent, granted by the Plymouth Council to Robert, Earl of Warwick, their president. The boundaries were quite indefinitely generous, extending north to Quebec and south to Philadelphia.

In 1631, Lord Say and Seal and his associates succeeded to the rights of Warwick; he was to plant his colony southwesterly from Massachusetts. Next the first settlers of the Colony of New Haven secured title under these same grants. Purchases made by the colony from the Indians added to the confusion, while the fact that the Dutch colonists of New Netherlands claimed title as far east as the Fresh (Connecticut) River caused further trouble.

In fact, in 1646, a Latin message was sent from the Dutch "to the Governor of the place by us called the Red Hills in New Netherlands [referring to the rugged sentinels on either side of the city] but by the English called New Haven." This protest accused the English colony of "insatiable desire of possessing that which it did not own, particularly of their determination to fasten their foot near the Mauritius River."

The reply to the protest was punctilious; in Latin good enough to pass muster the message said that the Council did not know the Mauritius River, "neither can we conceive what river you intend by that name, unless it be that which the English have long and still do call Hudson's River." Moreover, they had not encroached on Dutch soil.

The outcome of the dispute was an agreement made in 1650, known as the Treaty of Hartford, between the commission of the United Colonies, and Governor Stuyvesant. This said that the dividing line between the English and the Dutch was to begin on the west side of Greenwich Bay, four miles from Stamford, then twenty miles north, and after as it would be agreed, provided the line should not come within ten miles of Hudson's River. The Dutch said they would not build houses within six miles of the line, but they insisted that Greenwich must look upon itself as a Dutch town, instead of an English settlement.

Simeon E. Baldwin has made delicious comment on the stately document:

"It is the negotiation of this treaty which is so pleasantly hit off in Knickerbocker's *History of New York;*—the solemn embassy of two of the most ponderous burghers of New Amsterdam, bearing the very spy-glass with which a Dutch trader had first discovered the mouth of Connecticut River; the 'two lean Yankee lawyers, litigious looking varlets,' who were deputed to receive them; the triumphant production of the ancient spy-glass, and the dismay when the other side 'produced a Nantucket whaler with a spy-glass twice as long, with which he discovered the whole coast, quite down to the Manhattoes, and so crooked that he had spied with it, not only the mouth but the whole course of the river from Saybrook to the Massachusetts line.'"

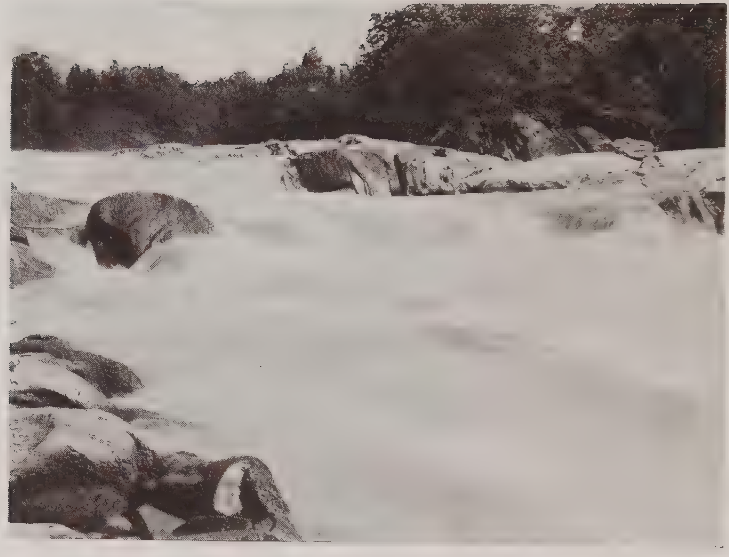
But the treaty that was made in spite of the rival spy-glasses did not settle difficulties. Only three years later New Haven decided that the trouble between England and Holland gave her a chance to secure what she deemed her right. So she sent a commissioner to Cromwell, in London, asking him to aid her against the Dutch. Cromwell sent an expedition to America, but before anything could be done word came that peace had been made between the European contestants.

New Haven managed to make something by her attitude of belligerency, for in response to her demand that Greenwich should be no longer Dutch, but English, and her threat to prove her claim by force and arms, the transfer was made in 1656. At least the town on Long Island Sound agreed to own the leadership of New Haven.

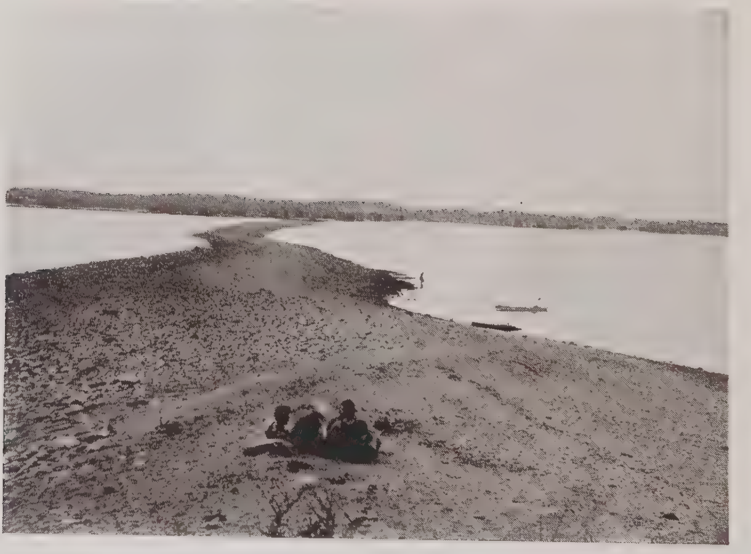
For a few years events moved with rapidity startling for

MOSHAMOQUET BROOK, CONNECTICUT

A CONNECTICUT ELM



BULL'S FALLS ON HOUSATONIC RIVER, CONNECTICUT



THE SANDBAR THAT TIES CHARLES ISLAND TO THE CONNECTICUT MAINLAND those easy-going days. In 1662 the charter given to Connecticut deprived New Haven of her independence, and in 1664 to the brother of King James, the Duke of York, was given a patent which included not only New York, but the lands west of Connecticut River as well. In fact, the grant was made up of "all that island or islands commonly called by the general name of Meitowax or Long Island . . . and all the land from the west side of the Connecticut River to the east side of Delaware Bay."

Connecticut, disposed to make the best of what seemed a great misfortune, sent to New York commissioners who were charged to give, as heartily as they could, messages of congratulation, and to ask, with as much assurance as possible, for the establishment of certain boundaries between Connecticut and the patent of the Duke of York.

Connecticut yielded to New York's claim to Long Island, and it was agreed that the west boundary of Connecticut was to be "Mamaroneck Creek or river," and "a lyne drawn from the East front or syde, where the fresh water falls into the salt . . . north-north-west to the line of Massachusetts."

New York yielded her claim that she went east as far as the Connecticut River, while Connecticut said that she would no longer hold to the idea that her territory extended indefinitely westward. Claims to westward extensions of territory were quite popular among the Colonies. For instance, Van der Donck, in describing New Netherlands, declared, "We may safely say that we do not know how deep or far we extend inland."

That agreement to the north-northwest line seemed to give the lie to Connecticut's statement that she was ready to yield all claim to western pretensions, for a line of that kind could not touch the boundary of Massachusetts unless that boundary was considered as extending far beyond the

Hudson River; in fact, it would cross that river in the vicinity of West Point, and extend to near Utica. Yet New York thought it would give them all territory to a line twenty miles east of the Hudson.

The Royalist Peters, whose *History of Connecticut* has added much to the gayety of students of colonial history, replied to the charge that Connecticut, by agreeing to the north-northwest line, "pulled the wool over the eyes of iniscent New Yorkers." Peters says that Smith, in his *History of New York,* speaks of the agreement of 1664 as "founded in ignorance and fraud," because, forsooth, a north-northwest line from Mamaroneck would soon intersect Hudson's River. So Peters asks, "Could anyone of common sense suppose the Dutch on the banks of Hudson's River, who no doubt were consulted upon the occasion, less acquainted with the course of it, than persons residing on the banks of the Connecticut? Extraordinarily absurd as such an insinuation might be, the people were aware of its probable weight with the Duke of York, whose patent grasped half the country, and therefore, knowing by whom a contest must be decided, consented to give up twenty miles of the land east of Hudson's River, hoping that would content a company of time-serving Jacobites and artful Dutchmen."

Unfortunately for all concerned, the agreement of 1664 was not confirmed by the Crown. So, when a new patent was given to the Duke of York, on the retrocession of New Netherlands by the Dutch in 1674, Edmond Andros, the first Governor of New York, sent a copy of the patent to Connecticut, with a message which meant:

"These boundaries have been duly fixed, and you must agree to them. If you won't agree, I'll invade your territory."

Connecticut was having trouble enough because of King

Philip's War, but the province did not propose to submit tamely to what she felt was improper invasion of her rights. So she made ready to resent the haughty governor, sending troops to garrison Saybrook and New London, on the Sound.

Then came June 9, 1675, when a fleet was seen from Saybrook Point, at the mouth of the Connecticut River. The commander of that port had been told to resist the landing of the enemy. He was not to strike the first blow, but he was to defend himself from attack. When, therefore, Andros asked leave to land, he was told that he might do so, if his only purpose was to negotiate a treaty. Andros refused the terms, and attempted to read the new Patent and his own commission. When objection was made to the reading, he went off in a huff.

A further act in the contest was the issue, by New York, of warrants against the inhabitants of Rye, Greenwich, and Stamford, settlements on the Sound, over which Connecticut claimed jurisdiction, though New York insisted that they should be conceded to her. Connecticut held that injury was added to insult when New York made grants of territory in the country between the Hudson River and the Connecticut River.

There were complaints to the Crown, and acrimonious letters were exchanged by the governors. But finally commissions were appointed to see if claims could not be adjusted. Andros was positive that New York must have twenty miles east of the Hudson River; he said if this was not allowed, he would carry his boundary to the Connecticut River.

The first result of the conference was the drawing of a boundary line, beginning at the Sound, which made the map of this particular boundary controversy look like an involved geometrical figure. It was the birth of the odd extension of Connecticut on the southwest toward New York City, which helps to bring despair to the schoolboy who has to bound the state.

The line agreed on at that time was to run between Rye and Greenwich, up Byram's Brook to a wading-place crossed by a public road (think what a chance for future controversy a description like that gave!), then northwest eight miles, then twelve miles east parallel to the Sound, then on a line parallel to and twenty miles from the Hudson River to the Massachusetts line.

Now for more curious provisions. Because this extension of the Connecticut boundary along the Sound brought her boundary within the twenty-mile limit from the Hudson, New York demanded that Connecticut should give her along the more northern portion of the western boundary territory equivalent to that taken by Connecticut on the Sound.

The Equivalent Tract, as it was called, was a strip a little more than a mile and three quarters wide, along the east side of the western boundary. There were in the tract 61,440 acres. Though Connecticut agreed to the cession, she was not willing to own that it was just. Her claim was that the word "Equivalent" was not a true term, since New York had no shadow of claim to the towns on the Sound yielded to Connecticut.

The diverting Peters had his comment to make on this tract:

"There never were any lands in the possession of the New Yorkers surrendered to Connecticut; on the contrary, Connecticut was forced . . . to give up, not only Long Island and the above-mentioned twenty miles east of Hudson's River, between the oblong, without equivalent. How New York could surrender lands which they never had any right to possession of is only to be explained thus:

when the people of New York did not extend their eastern boundary to Connecticut River, they therefore surrendered to Connecticut what they never had; which is like a highwayman saying to a Gentleman, Give me two guineas, and I will surrender to you your watch in your pocket."

The feeling of New York as to what was then felt to be the unjustifiable encroachments of Connecticut was shown by Governor Dongan in 1687 when he spoke of "Connecticut as being so conveniently situate in its adjacency to us, and so inconvenient to the people of Boston." Then he added: "Besides, Connecticut, as it now is, takes away from us almost all the land of value that lies adjoyneing to Hudson's River and the best part of the river itself." As a reason for retaining possession of towns on the Sound, it was added that otherwise it would "be impossible to make anything considerable of his Majesty's customs and revenues in Long Island; they carrying away without entering, all our oyle, which is the greatest part of what wee have to make return of from this place. And from Albany and that way up the River, our Beaver and Peltry."

That there might be an end of uncertainty, Connecticut, in 1700, asked New York to unite with her in "running said line and erecting boundmarks." But, in spite of the appointment of commissions by both Colonies, there were many failures to agree. Each said the other was to blame for the state of affairs. The New York commission once said of their neighbors: "They seemed Steady in nothing, but in the Ambiguous manner of their giving Assent to any of our Proposals, which had taken away all colour of Reason for Dissenting; or having given their assent upon conditions . . . entirely foreign to the matter in question, and highly injurious to the Province."

Once when an agreement seemed near, Connecticut insisted upon the acceptance of an oak tree, whose site was fixed in 1684, as a boundmark. But New York said, "Let us re-survey."

Diplomacy won when argument failed. The success of the attempt at settlement in New York was said to be due to the act of the New York commission in adding to other provisions supplied for the surveyors, "6 shillings worth of ginger-ail, 6 pounds of chocolate, 13 pounds of loaf sugar, 1 pound of cinnamon, 1 ounce of nutmegs, 1½ gallons of limejuice, 350 lemons, and 8 shillings worth of tobacco and pipes." Two shillings' worth of hooks and lines were included as well.

One who has written of the history of the long-drawn-out controversy says: "We may easily picture these worthy gentlemen inviting their Connecticut antagonists to join in many a friendly trouting excursion, ending with a picnic dinner in the fields. . . . Perhaps a game supper may have closed their labors, for among the last day's charge appear 'partridge and other small things, 9s, 6d.' "

The commissions provided plenty of strong drink, too. Perhaps this was responsible, in part at least, for the crooked line which robbed Connecticut of considerable territory.

Then there was a good deal of uncertainty as to the exact location of the line, since many of the bounds chosen were far from permanent. At one place it was recorded, "we sett up a stake in the middle of a bogie meadow."

More than a century passed. In 1855 the removal and destruction of boundary marks made so much misunderstanding as to their place of residence that many of the inhabitants refused to pay taxes to either State. This led to fresh confusion, further surveys, more differences of opinion, and the delay of a settlement until 1880, when Connecticut, in return for her agreement to accept a line which seemed to deprive her of a bit of territory, was allowed to extend her jurisdiction for some distance out over the waters of the Sound, instead of merely to the shore. This concession gave her control of water containing valuable oyster beds, so she was content.

The contests of two hundred and fifty years were ended!

But this was not the record for Connecticut; the northern boundary called for discussions that were even longer drawn out.

The story tells of Nathaniel Wood and Samuel Saffrey, "said to have been obscure sailors," who, in making a survey of the boundary line, began at a point they thought to be three miles south of the Charles River. Then they sailed around Cape Cod to the mouth of the Connecticut, proceeding up that stream to a point they supposed "was in the same latitude with the starting point." Unfortunately, the spot chosen for the completion of the line was seven or eight miles south of that chosen for the beginning.

Both States were dissatisfied with the work done, Connecticut especially, because the line deprived her of towns she thought she ought to have. Connecticut proceeded to settle in the territory she claimed, and Massachusetts objected. Appeals to England were ineffectual, and attempts at settlement made between the Colonies led to disagreements and misjudgments. Many a year after the running of the line that caused the trouble Roger Walcott wrote with fine sarcasm:

"Under the colour of this survey by Woodward and Saffrey the Massachusetts colony has presumed to grant about 160,000 Acres of Land without their Charter and within the bounds of Connecticutt. Yett it may be esteemed an Injustice done them to think they ever accounted they had any bounds but those sett them in their Charter or that the running of Woodward and Saffrey, being solely an Act of their own, could allow or Establish their bounds the point is so clear that it seems impossible to believe that the Gentlemen That have been Wise to a Miracle in all other affairs shall not be able, after seventy years hard struggle, to find out this."

After going into details concerning the boundary dispute the indignant Roger concludes:

"From the Encroachments and oppression of such an obstinate and over Grown Government we have no where to apply but to the King for relief and pray that his subjects may be preserved and protected in their rights and privileges that His Royal Ancesstors have Graciously Granted to them."

An agreement that was thought to be final was reached in 1713. The right of Massachusetts to the border towns in dispute was allowed. In return for the concession, Massachusetts agreed to give to Connecticut what was called Equivalent Lands in Western Massachusetts and New Hampshire. These equivalent lands were sold by Connecticut three years later for £683, and the proceeds were given to Yale College.

Trouble was revived by the border towns, which wished to be taken back into the care of Connecticut. Connecticut made answer that she must stand by the agreement of 1713. Yet when the towns reminded the General Assembly of Connecticut that the agreement of 1713 had not been ratified by the king, and was therefore not binding, the Assembly voted to grant the request of the towns. And when Massachusetts appealed to the king, the case went against her; the claim of Connecticut was established.

But the decision did not allay the ill feeling consequent on what Massachusetts thought of as a breach of faith. For many years the dispute was kept up, and every now

RATTLESNAKE POINT ON MOUNT MOOSALAMOS, VERMONT

THE TAKING OF FORT TICONDEROGA

and then the records of the Colonies told something about it. Perhaps the most humorous reference was made in 1754 when Roger Walcott complained to the General Assembly of Connecticut concerning his personal grievance. He declared that no reward had been given him for his services in investigating "the Case of the Line," which he said was "a Matter of Great Importance and Called for Enquiry and Carefull Inspection into Evidence of More than one hundred years Backward this obliged me to send to Boston Rhode Island and Elsewhere for Evidence and this was repeated several times before I could get what we wanted for having the whole case to trace on from the Beginning I must go on from step to step as one exhibit led on to another. It cost me some time and Thought. . . ."

His petition closed with a pitiful appeal:

"Since there has been no complaint but that my services in the affair Was Done well I perswade my self that it is not the will of the Assembly to make such a difference between me and your other servants that while you are Rewarding them Honorably I must stand by and have Nothing."

He closed his petition by speaking of "that Birthright that the Law gives to all my fellow Subjects to have the Reward adjusted by Men acquainted with such Bussiness and sure it is an old Observation that the Husbandman is first partaker of the fruits of the Earth if you will be pleased to order me to Receive the same. . . ."

It is pleasant to record that the Assembly voted to pay the petitioner £25. The letter was worth the amount, even if the service rendered was not!

The inhabitants of the disputed towns, Enfield, Somers, Suffolk and Woodstock, were not without compensation for their doubtful residence. It was not easy to collect taxes. Connecticut did not succeed always, and, though Massachusetts continued to levy rates until the Revolution, she was not able to make good her claim that payment should be made to her.

A curious record in the books of the Massachusetts House of Representatives, dated "25th February 1768," tells of their vain attempts. It speaks of the towns "which did, on or about the year 1749, revolt from their subjection to the Government under which they had first been settled and until that time contented by which they had been protected at great charge, in several Wars." Then it is recited how Connecticut had taken them under her protection; how it was unwise to make trouble during the dreaded Indian wars; how the reason for such forbearance had altogether ceased with the coming of peace, yet "the Inhabitants still continue in their Revolt." Finally the people of the towns were called on to pay up to their rightful government, Massachusetts. Promise was made to them who voluntarily returned to their allegiance to Massachusetts that the back taxes would be forgiven.

Fortunately, in 1807, commissions appointed by the two States agreed on a line which would keep the disputed towns in Connecticut, though it arranged for a compensating deviation from a straight line at a point west of the Connecticut River—"the Southwick jog," as it was called. This should satisfy Massachusetts for all territory taken from her by errors in running the boundary.

And to this day the jog is there, having been approved most solemnly by Massachusetts, in 1908, by Connecticut in 1913, and by the United States Congress in 1914.

CHAPTER XII

THE STORY OF THE NEW HAMPSHIRE GRANTS

WHICH State of the Union was for fourteen years an independent republic?

To that question many people will be inclined to reply that there was no such republic. Others would speak of Texas. But Texas was an autonomous republic for but nine years. Then what State was it? And how did the strange thing come about?

The reply gives opportunity to recount a story of backwoods bravery and pioneer sagacity that stretched over a period of more than forty years.

As early as 1724 the attention of sturdy pioneers was drawn to the attractive lands in the vicinity of the Connecticut River, to the north of Massachusetts. In that year a settlement was made at Fort Dummer, on the present site of Brattleboro, Vermont. Now and then there were scattering attempts to go to the upper valley of the Connecticut, but fear of the Indians deterred many others from following the example of these early brave men. In fact, the demand for the valley lands was so small that it did not occur to New Hampshire and New York to lock horns as to the title to them.

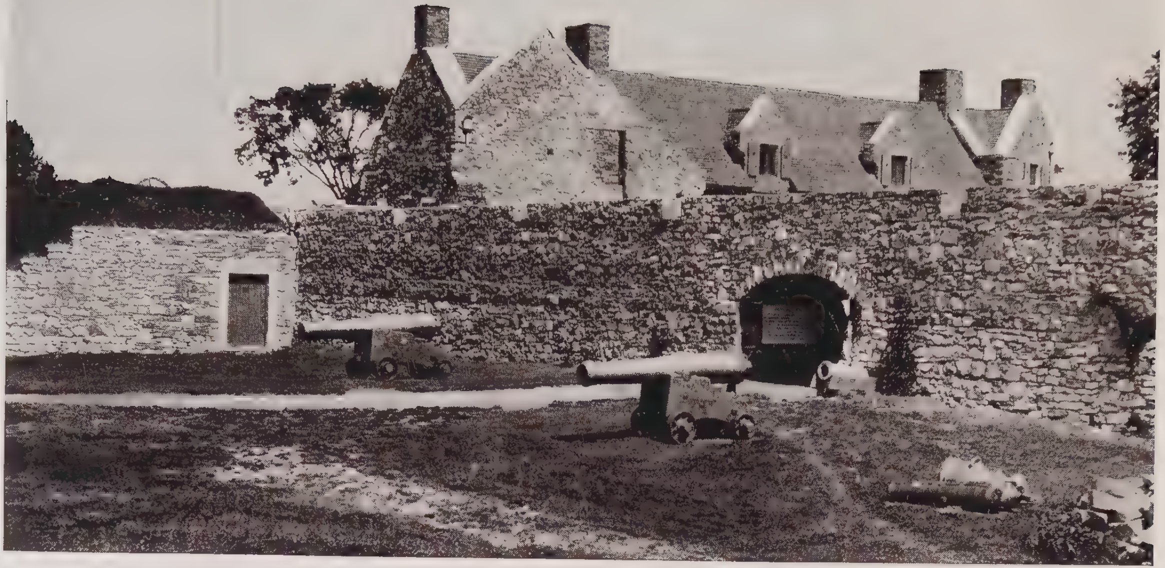
Then came 1749, when Governor Benning Wentworth of New Hampshire felt that the time was ripe to assert claims to lands he wanted for his own people. In a letter to Governor Clinton of New York he said that, while war with the Indians long had prevented the making of grants in the country along the Connecticut, he thought that the time had come to respond favorably to the frequent applications for grants of land, since he could do this in accordance with instructions secured from King George II. Since many of the applications were for lands in the neighborhood of New York, he wrote:

"I think it my duty to apprize you thereof and to Transmit to your Excellency the description of New Hampshire, as the King has determined it in the words of my Commission, which, after you have considered, I shall be glad you will be pleased to pen me your Sentiments in that manner it will affect the Grants made by you or preceding Governours, it being my intention to avoid as much as I can, consistent with his Majesty's Instruction, Interfering with your Government."

Further information was given in the letter that, by his Majesty's direction, a surveyor had "run the Western Line from three miles north of Pawtucket Falls. And the Surveyor upon Oath has declared, that it Strikes Hudson River about eighty poles between where Mohawks River comes into Hudson's River, which I promise is north of the City of Albany."

With extreme courtesy a request was made. Would Governor Clinton tell Governor Wentworth how far north of Albany his territory went according to the king's commission, and how many miles to the eastward of Hudson's River, to the northwest of the Massachusetts line? The information was desired, so said Governor Wentworth, "that I may govern myself accordingly."

The information desired was forthcoming. On April 3, 1750, the Governor's Council of New York decided to tell Governor Wentworth, who claimed territory to a line twenty miles east of Hudson's River, that the Province of New York "is bounded Eastward by Connecticut



FORT TICONDEROGA, RESTORED

ROUND TOP, PAULET TOWNSHIP, VERMONT

River." The claim was based on the language of the Patent given by Charles II to the Duke of York.

Now this letter did not reach Governor Wentworth in season to keep him from granting a township twenty-five miles east of Albany, which later became Bennington. When the Governor of New York made accusation of undue haste, and breach of faith in giving a grant contrary to his promise to refrain from infringements on New York claims, the answer was made that, after waiting a reasonable time for a reply, action seemed justified.

Then followed the request by New York that the dispute as to boundaries be laid before the king. Wentworth agreed, but he declared that it would be impossible to concur in the New York demand that the grant already made at Bennington be vacated.

Although the two Colonies decided to exchange copies of their appeal to the king, Governor Wentworth, instead of responding in kind when he received Governor Clinton's papers, replied with an argument against the position of New York. Some four thousand words were expended in the futile setting forth of New Hampshire's claims.

The correspondence thus begun was still going on when renewed war with the Indians took the minds of people in both Colonies from the question of new lands and their settlement.

But lost time was made up after the Indians gave opportunity to the land hungry to go into the Connecticut country. A New Hampshire survey for a distance of sixty miles up, resulted in the laying out of townships three deep on both sides of the river. Soon 108 grants had been made in the territory claimed by New Hampshire, bounded by a line twenty miles east of the Hudson, and north to the east shore of Lake Champlain.

Came March 15, 1763. A merchant, after his return to New York City from a trip to Canada, made oath "that in the month of September last . . . he made a short stay at Crown Point and there saw a considerable number of persons about five or six among which were two Gentlemen said to be powerful men in the New Hampshire Government . . . that these Persons declared that they came thither to lay out lands, and a Man that appeared to be a Principal person among them Declared that Crown Point was in their Government."

The first result of the disturbing news was a proclamation made on December 28, 1763, by Lieutenant-Governor Cadwallader Colden of New York. In this New York's claim to the Connecticut as her eastern boundary was reiterated. Orders were given to civil officers of New York to exercise jurisdiction "as far as the Banks of the Connecticut River, the undoubted Eastern Limits of that part of the Province of New York." No attention was to be paid to grants made by New Hampshire to the westward of that river. More, the High Sheriff of the County of Albany was ordered to report the names of those who held grants from New Hampshire in the disputed territory. Proceedings were to be instituted against them according to law.

It was easy to issue a proclamation defying New York. This was done by New Hampshire on March 13, 1764. Those holding the grants were encouraged to cultivate their lands, biding with confidence their time of vindication. New Hampshire's civil officers were told that they must be diligent in exercising their rights and in defending the holders of grants, in spite of the pretended right of jurisdiction mentioned in the proclamation from New York.

New York claimed the next blood. Her appeal to the king brought a decision in accordance with the New York claim. But in the meantime there had been more than one clash between the authorities of the rival Colonies. On August 17, 1764, Sheriff Schuyler reported to Lieutenant-Governor Colden:

"Last Fryday morning an Express arrived from Hoseck acquainting that the New Hampshire people had turned Hans Jurry Creiger, an Inhabitant under the Proprietor of Hoseck's Patent, out of Possession of his Lands and Tenements, drove off his Cattle and took off with them a Parcel of Indian corn, and for the redemption of his Cattle compelled him to pay forty-five Dollars."

When two others were similarly dispossessed, New York's officers arrested those from New Hampshire who were responsible, and took them to jail in Albany.

These and similar acts led Governor Wentworth to ask for the release of the men arrested; his contention was that it was "not fitting individuals should suffer in a dispute between two Governments as to Jurisdiction." Then he sent word to the settlers in the Grants to obey the authorities and laws of the Colony of New York, pending final judgment by the king.

Action by the Governor of New York was prompt. He formed the New Hampshire Grants into four counties, and demanded that those who had been occupying grants from New Hampshire should pay for new grants from New York. This caused great indignation, especially because, while the New Hampshire charge had been but $100 for a township, New York demanded $2,000 or even more. Many refused to pay, and action for ejectment was brought in the New York courts.

The people of the grants were not ready to yield. Those on the west side of the Connecticut held a convention, and decided to send Samuel Robinson of Bennington to the king to tell of the sorrows of the pioneers on the Connecticut.

The sequel seemed to be a victory for the owners of the grants. For on July 24, 1767, a royal order was sent forth:

"His Majesty . . . doth hereby strictly charge, require and command that the Governor or Commander in Chief of his Majesty's Province of New York for the Time being, do not (upon Pain of his Majesty's highest displeasure) presume to make any Grant whatever of any Part of the Lands described in the said Report, until his Majesty's further Pleasure shall be known concerning the same."

That seemed plain enough—until the New York Provincial Council extracted the teeth of the order by declaring that the order merely said that New York must not grant lands which had already been granted by New Hampshire; it would be perfectly proper to grant lands not hitherto granted by New Hampshire, though in the territory in dispute.

But this was not enough. The Council said also that in the courts copies of the royal order to the Governor of New Hampshire could not be received as evidence.

This seemed to the recipients of New Hampshire's favor to sound the death knell to their hopes of receiving justice.

Now read a few sentences by a modern dweller in Vermont [1] on the disillusionment of these desperate men in the courts:

"With nothing but their inherent human rights back of them, the Vermonters went down to Albany (no true Vermonter can abide the name of Albany since then!) and there went through the solemn twaddle of a law-trial, where the standards were not those of human rightness and fair-dealing, but were drawn from yellow parchments. Of course the parchments won. That is their habit in law courts.

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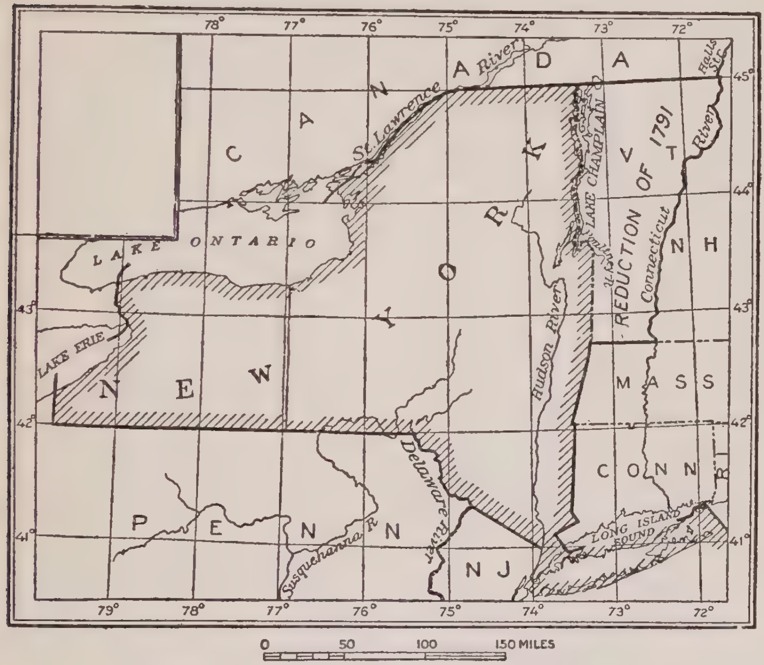
[1] Dorothy Canfield Fisher, in *Vermont, our Rich Little Poor State.*

"Ethan Allen was in Albany through the trial, to help the Vermonters. After the decision was rendered, he walked out of the law court, on his way home, surrounded by a mocking crowd of York State men. The whole history is so familiar to us Vermonters that any one of us would know just what is coming next in this episode. When, in speaking to a Vermont audience, you begin this story, you can see people lay down their umbrellas and handbags to have their hands free to applaud, and you can see every backbone strengthen as you go on in the phrases



HISTORICAL DIAGRAM OF NEW YORK AND VERMONT consecrated by time. 'They shouted jeeringly at Allen: "Now, do you know you're beaten? Now will you lie down and give up?" Allen drew himself to the full height of his magnificent manhood' (we never use any less fine a phrase than this) 'and cried out in a ringing voice, "The gods of the mountains are not the gods of the plains," and strode away, leaving them silenced.' (Here is where the speaker always has to wait for people to get through clapping.) He strode back to Vermont and organized a resistance. Was there ever a more absurd, pitiable, pretentious attempt? A handful of rough, ignorant mountaineers, without a legal leg to stand on, to try and defend themselves against the British law! And their only pretext the preposterous one that they had earned what they held!"

At Bennington the people decided "to support their rights and property in the New Hampshire Grants against the usurpation and unjust claim of the Governor and Council of New York, by force, as law and justice had been denied them." When New York surveyors attempted to run a line across the grants, they were met by men under the lead of Ethan Allen, who "severely chastised them with twigs of the wilderness," though the twigs were in reality heavy beech rods. These rods were used many times in succeeding years, and the operation of applying them became known as "giving the beech seal."

The story of the next year would seem almost laughable but for the intense earnestness of those who took part in accusation and counter-accusation, in forays and defenses, in defiances and expressions of the disregard of one party for the other.

Finally committees of safety were organized in the towns in the grants, a convention of representatives from the various committees decided on courses of action, and a military force was provided to carry out the decree of the committees. Ethan Allen, the commander of the new force, called them the Green Mountain Boys. This name was chosen because the Governor of New York had said he would drive those who opposed him to the Green Mountains!

Allen, his four brothers, and other officers, became so obnoxious to the governor of New York that a price was put on their heads in 1771. This led to Ethan Allen's offer of £15 reward for the delivery of a certain two officials from New York, at the Catamount Tavern in Bennington.

The records of the activities of Allen and his Green Mountain Boys are among the most interesting of the stories of the days of the pioneers. Sometimes the New York authorities seemed to have the better of them, but usually the laurels rested on the heads of the men of the mountains.

Once, when Governor Tryon of New York asked the commander in chief of his Majesty's forces in the Colonies to order troops to Ticonderoga and Crown Point, to aid the civil authorities against the holders of the grants, the reply was a decided negative; he declared he would not use regular troops to suppress "a few lawless vagabonds."

When the General Assembly of New York offered £100 for the capture of Ethan Allen, and £50 for the arrest of six of his associates, Allen made proclamation:

"We are under the necessity of resisting even unto blood every person who may attempt to take us . . . for in this case it is not resisting law, but only opposing force by force; thus far . . . the New Hampshire settlers are reduced to the disagreeable state of anarchy and confusion; in which state we hope for wisdom, patience and fortitude, till the happy hour his Majesty will be pleased to restore us to the privileges of Englishmen."

Then came the events which led the inhabitants of the Grants, in common with all other freedom-loving colonists, to oppose the yoke of Great Britain. Of course all local quarrels were forgotten, in the necessity for the common defense. The Green Mountain Boys turned their attention to Ticonderoga, as Ethan Allen told the story later:

"Directions were privately sent to me from the then Colony (now State) of Connecticut, to raise the Green Mountain Boys, and, if possible, to surprise and take the fortress of Ticonderoga.

"On May 9, 1775, we arrived in the evening opposite Ticonderoga, with 230 valiant Green Mountain Boys. With great difficulty secured boats to cross lake. Early in the morning of May 10 we surprised the garrison of Ticonderoga, and summoned the Commandant to surrender, 'In the name of the great Jehovah and the Continental Congress.'" (Many insist that Allen did not use these words, but he said he did speak them.)

Following the capture of Ticonderoga, came the taking of Crown Point, and the command of Lake Champlain was in the hands of the colonists—only to be lost a little later, and regained at great cost.

Congress, gratified, voted payment to the victorious Green Mountain Boys, and recommended to General Schuyler that they be enrolled in the regular army for the defense of America, and that they serve under officers chosen by themselves. To his disappointment, Ethan Allen was not made lieutenant-colonel, as he wished, but he was willing to serve otherwise. When his old command went to Canada, he engaged in various efforts against the British, and was finally taken captive. Considered a bandit, rather than a regular soldier, he was taken in irons to Falmouth, England, where he was a prisoner under trying conditions for many months.

Encouraged by Congress's appreciation of the Green Mountain Boys, the inhabitants of the grants decided at Dorset, on January 16, 1776, to ask Congress for recognition, declaring their willingness to do all they could for the common cause, though it was impossible for them to act under the direction of New York.

In the following July a convention at which thirty-two towns were represented received the report of the message to Congress that the petition had been tabled. Herman Allen, the bearer of it, had thereupon asked to withdraw it, lest New York representatives should vote to take it from the table in the absence of a representative from the grants.

Thereupon the convention adopted a paper addressed to Congress:

"We the subscribing inhabitants of that District of Land, commonly called and known by the name of the New Hampshire Grants, do voluntarily and Solemnly Engage under all the ties held sacred amongst mankind at the Risque of our Lives and fortunes to Defend, by arms, the United American States against the Hostile attempts of the British Fleets and Armies, until the present unhappy controversy between the two countries shall be settled."

On January 15, 1777, a Declaration of Independence was adopted:

"We will at all times and henceforth consider ourselves as a free and independent State, capable of regulating our internal policies in all and every respect whatsoever, and that the people of said Grants have the sole and exclusive and inherent right of ruling and governing themselves in such manner and form as in their own wisdom they shall think proper, not inconsistent or repugnant to any resolve of the Honorable Continental Congress.

"Furthermore, we declare by all the ties which are held sacred among men, that we will firmly stand by, and support one another in this our declaration of a State, and in enduring as much as in us lies to suppress all unlawful riots and disturbances whatever. Also we will endeavor to secure to every individual his life, peace, and property, against the unlawful invasion of the same.

"Lastly, we hereby declare that we are at all times ready in conjunction with our brothers in the United States of America to do a full proportion in supporting the just war against the tyrannical invasion of the ministerial fleets and armies, as well as any other foreign enemies. . . ."

The new State was to be called New Connecticut. This name was changed in June, 1777, to Vermont.

That declaration was adopted at the historic courthouse in Westminster where, early in 1775, resistance had been offered by a company of young men to New York's attempt to open the Court of Common Pleas.

The sheriff and sixty men drove out the defenders of the courthouse, at cost of some bloodshed, but soon the tables were turned by aroused men from the neighboring grants, who arrested the instigators of the attacks and sent them to jail in Massachusetts for trial. That ended the power of both the king and of New York in the grants.

When Congress received the petition from New Connecticut that it be "ranked among the free and independent American States," New York protested.

The delay of Congress in granting the request for recognition did not deter the people of Vermont. In July, 1779, they adopted a constitution based on that of Pennsylvania, notable—among other things—because it was the first State document to forbid human slavery.

The first Governor had been elected in 1778, and the legislature had begun its session. Efforts to secure recognition continued, but new obstacles were placed in the way by the favorable construction given to the application of towns in New Hampshire to be taken into Vermont. So New Hampshire became an opponent of favorable action by Congress. Massachusetts joined the ranks of opponents because it seemed a good time to her to set up a claim to the southern portion of Vermont's territory.

Ethan Allen, who had returned from England after his trying captivity, wrote a curious pamphlet which he called "Vindication of the Opposition of the Inhabitants of Vermont to the Government of New York, and the Right to Form an Independent State." This document, sent broadcast, made many friends for the struggling State.

Finally, it was declared that the State of Vermont existed independent of the United States, and was accountable to itself alone, since liberty was the gift of God.

The contest continued throughout the war. The story of the bare events of the years, the necessity of raising troops by Vermont for her own defense, the renewed controversy with New York because of the receptions of towns from that state which asked to be included in Vermont, the later giving up of these towns, the bitter feelings and the hopes and fears of the people of the old grants, is too long to tell here. It is enough to say that when the treaty of peace was signed in 1783, the territory of Vermont was part of the freed land, but it was not a part of the country as recognized by the colonists.

By that time Vermont was not so much concerned. She was a republic. She had a Governor, a legislature, a constitution, a post-office department, and even copper coins of her own, which bore the inscription, in Latin, "The Republic of the Green Mountains."

But the time came when Congress was ready to make overtures to Vermont, which was enjoying her freedom from burdensome taxes. To her enemies in Congress were added four Southern States, which did not like to see encouragement given to an independent State, for fear of the effect on their people who had tried experiments in republics like Watauga, Transylvania and Frankland. Pennsylvania was opposed for a similar reason—her western people might be encouraged in the dreaded setting up of a trans-Allegheny State, if Vermont received encouragement.

But, curiously enough, New York ceased to oppose the entrance of the new State into the Federal Union. Some thought this was because the vote of Vermont would aid in holding the national capital in the north.

At any rate overtures were made to Vermont to enter the sisterhood of States on certain conditions. The proposition was submitted to an assembly at Bennington on January 6, 1791. By a vote of 105 to 3 the proposition was accepted. Delegates were sent with the news to Congress which, on February 18, 1791, unanimously admitted the fourteenth State.

Thus the Republic of the Green Mountains, after fourteen years of independence, became the State of Vermont.

CHAPTER XIII

STRANGE SURVIVALS IN NEW JERSEY

"WHAT American corporation held its first meeting in 1685, and has been holding regular business meetings since that time?"

Probably most people would say that there is no such corporation. Yet they would be mistaken.

There is an involved story back of the explanation, a story which has in it the romance of American discovery and colonization.

That story really begins with the discoveries of Sebastian Cabot in 1497, but it is just as well to start it in 1664, when Charles II carelessly told his brother, the Duke of York, that he might have the country between the Connecticut River and Delaware Bay. With the Duke of York it was "easy come, easy go," for within a few months he, just as carelessly, made over New Jersey to Sir George Carteret and Lord John Berkeley.

The next step in the great real-estate transaction was Lord Berkeley's sale of his undivided half interest to John Fenwick for £1,000. This purchase was made by Fenwick for his Quaker friend, Edward Byllinge.

Unfortunately, Byllinge became bankrupt. Being a Quaker, he could not go to law, so he decided, in 1674, to put all his property in the hands of William Penn and two of his friends. These three men, with himself, were to manage it in future.

Five years later, in 1679, Sir George Carteret died, almost a bankrupt. To pay his debts his half of the estate in New Jersey was sold to twelve Proprietors for £3,400. This was in February, 1681-82.

As William Penn was in the list of Proprietors, he was a leader of those in control of all of New Jersey. A partition was agreed on, and East Jersey fell to the lot of those who purchased the rights of Sir George Carteret.

It is of interest to read the names of the twenty-three men who held title to the land of East Jersey. They were:

The Right Honorable James Earl of Perth; the Honorable John Drummond, Esquire, of Lundy; Robert Barclay, Esquire, and David Barclay, Junior, Esquire, of Eury; Robert Gordon, Esquire, of Cluny; Arent Sonmans, Esquire, of Wallingford, all in the Kingdom of Scotland; William Penn, Esquire, of Worminghurst in the County of Sussex; Robert West, Esquire, of the Middle Temple, London; Thomas Rudyard, Gentleman, of London; Samuel Groom, Mariner, of the Parish of Stepney in the County of Middlesex; Thomas Hart, Merchant, of Enfield, in the County of Middlesex; Richard Mew, Merchant, of Stepney, aforesaid; Ambrose Rigg, Gentleman, of Gatton Place in the County of Surrey; Thomas Cooper, Citizen and Merchant-Taylor, of London; Gawen Lawry, Merchant, of London; Edward Byllinge, Gentleman, of the City of Westminster, in the County of Middlesex; James Braine, Merchant, of London; William Gibson, Citizen and Haberdasher, of London; John Haywood, Citizen and Skinner, of London; Hugh Hartshorne, Citizen and Draper, of London; Thomas Barker, Merchant, of London; Robert Turner, Merchant, and Thomas Warne, Merchant, both of the City of Dublin, in the Kingdom of Ireland.

The division was unequal, so far as area was concerned. The line between the two sections of the Colony was to run from Little Egg Harbor, on the Atlantic coast, to a point in the Delaware River at 40° 40′.

The trustees of Byllinge sold East Jersey to a company of twelve Proprietors, who later conveyed half of their interest to twelve others. Each of the twenty-four men had a right to a portion of the province, exactly as if it were a farm.

In like manner the interests of the original holders of West Jersey were divided and subdivided.

It was felt by those who had succeeded to the title to the lands that they had the right to govern New Jersey. But Governor Andros of New York claimed that the government was vested in him. Perhaps the objections to his contention would have been confined to the Proprietors, but for one of his first acts—the levying of a duty of 5 per cent on all imports to West Jersey. This made the people of West Jersey his opponents. They steadfastly resisted the impost. The Proprietors asked the Lords of Trade in England to grant to them free ports of entry. The request was refused. But they persisted in loading the *Hester,* a vessel from Perth Amboy. The Governor of New York sent forty soldiers to seize the vessel. They took it to New York and there sold it at auction "by inch of candle." When the Proprietors appealed to the Court of King's Bench they finally secured damages and, what was far better, the right to make Perth Amboy a free port of entry.

There were difficulties in East Jersey also. On the death of Sir George Carteret, his grandson and heir, Philip Carteret, began to exercise the rights of Governor. But Governor Andros arrested him and took him to New York.

William Penn and his associates were not ready to agree to the claim of Andros that only the land had been sold;

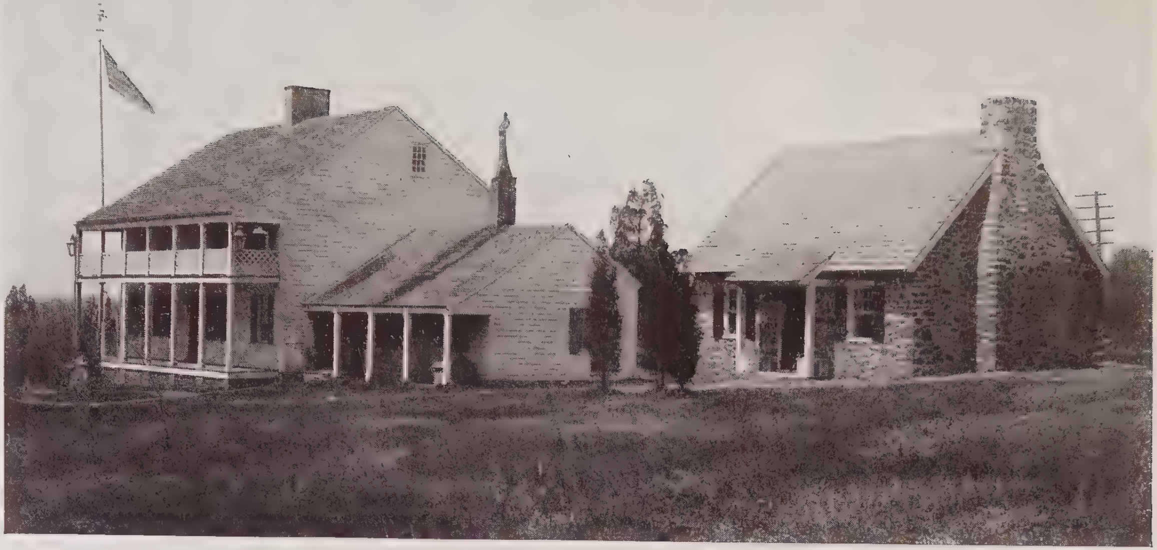
the right of jurisdiction remained in New York. He appealed to the Duke of York, who referred the question to Sir William Jones. The decision as finally given was favorable to the Proprietors. It was couched in the following quaint language:

> 28 *July,* 1680.
>
> I doe hereby humbly certify that having heard wt hath beene insisted upon for his Royll Highnesse to make good ye legality of ye demand of Five pr cent from ye inhabitants of New Jersey: I am not satisfyed (by anything that I have yet heard) that ye Duke can legally demand that or any other duty from ye inhabitants of those lands. And yt wch makes ye case stronger against his Rll Hss is that these inhabitants clayme undr a graunt from his Royll Highnesse to ye Lord Berkeley and Sir George Carteret in wch graunt there is noe reservac'on of any proffit or soe much as of juristicc'on.
>
> W. JONES.

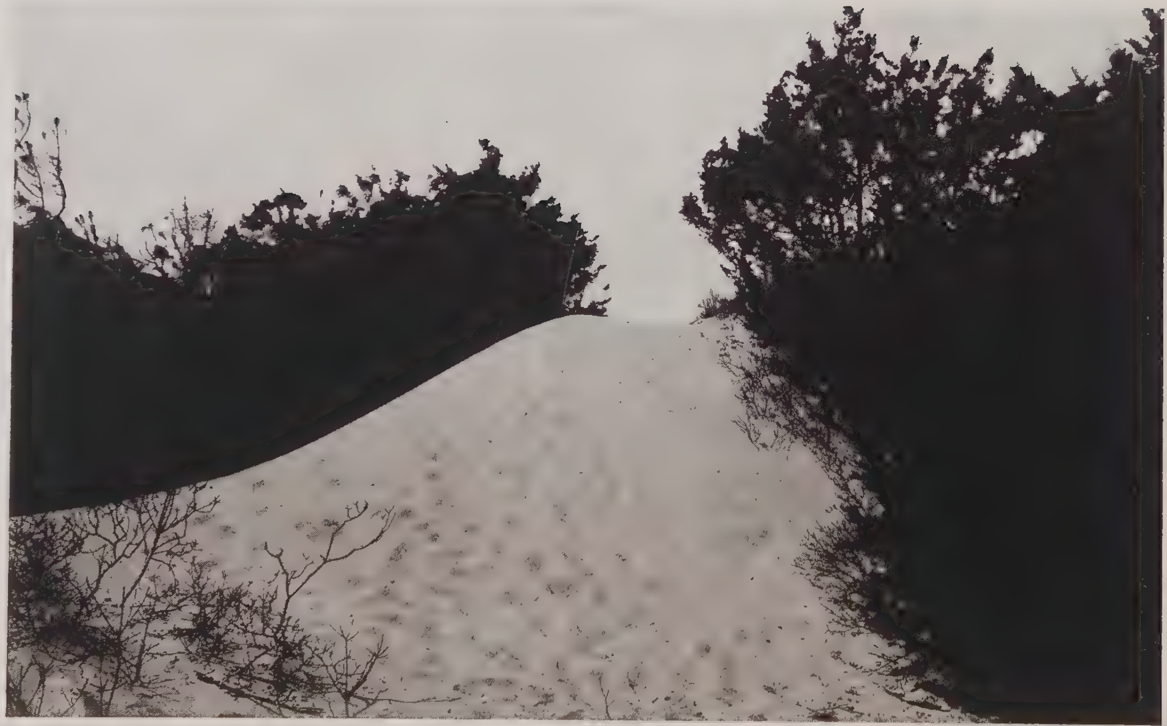
So matters stood until the days of King William. Then he was given the legal opinion that the English law did not permit the owners of land to transfer the right of government, excepting with the consent of the king. So the Proprietors had no choice; the right of government for which they had contended so fiercely was yielded in 1702, in the days of Queen Anne. They were glad to retain their rights to the land.

Thus it came about that from 1702 until 1737 New Jersey was under the same Governor as New York.

But long before the date of the surrender of governmental rights, the General Proprietors of the Eastern Division of New Jersey began their regular meetings. On April 9, 1685, this body assembled in "Elizabeth Towne." Twenty-four Proprietors, each of whom owned an individual twenty-fourth interest in East Jersey, were represented. Though the venerable body which met that day was not, and never has been incorporated by law, it



WASHINGTON'S HEADQUARTERS AT ROCKY HILL, NEW JERSEY



OLD ROAD, FILLED BY DRIFTING SAND, CAPE MAY COUNTY, NEW JERSEY has been held by Vice-Chancellor Petrey of New Jersey to be a "corporation by prescription." To it all land titles in East Jersey must be traced.

The procedure in buying land in early days has been described by a local historian:

"A settler bought a right to locate a quantity of land. He had it surveyed. The survey was entered in a book by the Surveyor-General. Small areas were laid out without difficulty, but when a large estate was involved there was a more complicated procedure: the surveyor would get on horseback with his compass and measure distances by the gait of his horse. He took good care to have a surplus . . . as he was not likely to be called to account by the settler or by the purchaser."

For example, in 1701 a man bought 1,000 acres. In 1753 one of two heirs had his half surveyed, and found that he had 815½ acres!

Unfortunately, the minute books of the Council of Proprietors of East Jersey recording the meetings between 1705 and 1725 are not available. But there is no break in the records from that date. For four years during the Revolution no meetings were held. Four minute books hold all the records.

The corresponding Council for West Jersey is almost as ancient. On February 14, 1687-88 the Proprietors met at Burlington, and arranged for regular meetings of the Council, which was to grant titles to unlocated land.

C. Chester Craig, Register of the Council, in 1922 read a paper before the Camden County Historical Society in which he said:

"Five members are elected at Burlington at noon on the tenth day of April of each year. The election formerly was held on the main street, beneath a willow tree which has long since disappeared. A depression in the pavement shows where it formerly stood; at this spot the election is held. Four members are elected annually at Gloucester at noon on the thirteenth day of April. The election was formerly held beneath a buttonwood tree which stood beside a walnut tree on the Gloucester Green about twenty-five yards from the wreck of the British warship *Augusta*. The bark of the buttonwood tree was used for the ballots.

"The meetings of the Council of Proprietors are held at the Surveyor-General's office in Burlington the first Tuesday of May, August, November, and February. Each person holding a one-thirty-second share of a property is entitled to vote. A right of property consists in the ownership of a share or a portion of one of the one hundred shares into which Edward Byllinge's interest in the Western Division of New Jersey was divided. From time to time dividends consisting of rights to so many acres of unlocated land in West Jersey are made to the holders of the rights of Property (that is, the Proprietors)."

To this day anyone who desires to obtain control of a tract of unlocated land must go through the exact procedure followed from early days. It is related that when, a few years ago, the State of New Jersey enlarged the State House grounds at Trenton, and desired to include an island in the Delaware River, application was made to the Council of Proprietors, which granted a survey to the State for the island, but not until it had complied with all the formalities that would have been required of an individual!

The books and documents of the Council were long kept in a one-story brick building on Broad Street, Burlington. This was torn down some years ago, and a new building was erected.

The first of the record books was used by some other organization before the Council began to keep minutes in it. The identity of the organization is not known, but some have thought it was "The Governor and Company for Propagating the Gospel in New England." One of the records, made a year after the first meeting, is interesting:

> *Between April and July* 1662.
>
> Paid Mr. John Harwood assign of Mr. Hezekiah Usher of Boston in New England Masht according to a Bill of Exchange drawn on this corporation by the Comrs for ye United Collonys of New England aforesaid at New Plymouth Sept 12th 1661 the sum of eight hundred Pounds wth for ye like sum to be Received of the said Mr. Usher there according to form agreemt made wth him by the said Comrs and is for defraying ye charges of printing ye Byble in ye Indian Language and other necessary disbursements for propagating ye Gospel amongst ye natives there the sum of £800.

Minutes of both Councils tell of long disagreement as to the boundary line between East Jersey and West Jersey. Many attempts were made to run the line, but all efforts failed, to the dismay of many who lived along the border. Finally the feeling generated found expression in the records of a meeting of the "Board of General Proprietors of the Western Division of New Jersey," held at Burlington, November 10 and 11, 1774. Since it was "evident that the Eastern Proprietors are not disposed to come into the equitable measure, proposed by the Board, for settling a true line of partition between them, the Board will assert and maintain the right to the lands lying to the westward of a line from the Mouth of Machackamack to Little Egg Harbor."

Not until 1854 was the line finally located, by action of commissioners appointed by the legislature.

But boundary difficulties and uncertainties in New Jersey were not confined to the division between the lands of the Proprietors. Both on the east and on the west they persisted for many years. Friction along the Delaware led to a meeting in September, 1817, at Easton, followed by five days of traveling along the river, to view the wing dams built by citizens both of New Jersey and of Pennsylvania. Pennsylvania claimed that New Jersey's dams impeded navigation. New Jersey's representatives said they could not see that they were greater sinners in this respect than the people of Pennsylvania. Even after the meeting there was much feeling before the controversy was settled.

But the most interesting contest was with New York State, especially as to Staten Island. New Jersey claimed that Staten Island was plainly in the bounds of New Jersey, as described in the grant from the Duke of York to Berkeley and Carteret. Further, New Jersey claimed that when Governor Dongan of New York took out a New Jersey patent to his lands on Staten Island, "this was an Owning upon Record and an Owning with a Witness."

On May 12, 1669, Governor Lovelace of New York wrote to the people of Staten Island:

"Having lately received a letter from my worthy predecessor wherein hee assures mee that his Royal Highnesse has declared his pleasure that Staten Island shall not att all belong to New Jersey but bee esteemed a part of New York. . . ."

Three years later the same Governor Lovelace wrote to Governor James Carteret of New Jersey as to occurrences "between one of your magistrates and my Marshall. . . . I employed him to forewarne all persons (that had not the common Courtesy in them to desire Liberty of Mee) to cutt and carry any Hay from Staten Island without my approbation; but it seems Mr. Hopkins (whether in Contempt or Derision) presumed to Make an Essay, whether the Property belongs to his Royall Highness, or ye Proprietors. . . .

"Sirs, I hope there would not be an Occasion of a controversy of that Place, after 8 Years possession, together with a lawfull Purchase of the Natives . . . but if any Pragmatick Person, out of any officiousness or similar Ends of his own shall intermeddle in that Affayre, I shall assure him to maintain my Royall Master's Interest to that Place, to the utmost of my Ability."

But not until 1834 was the matter in dispute finally determined. Then Staten Island definitely became a part of New York.

The dispute on the eastern border of New Jersey was not confined to Staten Island. On March 27, 1719, the New Jersey lawmakers passed an Act:

"Whereas Many Disputes and Controversies have of late happened between the Proprietors and Owners of land in the Province of New Jersey, and the Owners of Land in the Province of New York, which lie near or adjoining upon the Division Line as well as between the Officers of the Government, and a number of lawless men there, who Elude the Laws of both Provinces, and pay Taxes and Obedience to neither, pretending to be inhabitants in each of them, to serve their evil purpose of Disobedience to the Lawful Councils of the Demands of the officers of the Government. . . ."

Therefore a commission was asked to "run, survey, agree, and ascertain the line."

There is on the records an odd bill, made out by the chosen men in the process of "Running the Division Line." The surveyors received £1 10s. per day. Among supplies charged for were "chocolat, Nutmegs, Lyme Juice, wooden bowles, Lanthorns, Green wax candles, Gingerbread, waggon hire, and a pewter pot for the plummett of the Instrument."

On September 24, 1719, "Severall of the Inhabitants of the Province of New York, Owners and Proprietors of lands Bordering upon the Partition Line," told of their dissatisfaction with the workmen and their progress. They spoke of the fact that "Much foggy and Cloudy and rainy weather happened at that Time for about 25 Days successively, as the Like at that Season was not known in the Memory of Man (Just as if Heaven frowned on their Designes). . . ."

This controversy, too, dragged out until 1834. Since that time there has been peace between New York and New Jersey.

CHAPTER XIV

HOW PENNSYLVANIA WAS BOUNDED BY TROUBLE

A CURIOUS map of Pennsylvania shows what a large State it would have been if all the claims made in its behalf had been sustained. It shows also what a comparatively insignificant State it would have become if it had been stripped of territory in accordance with the claims of neighboring States. Maryland would have deprived her of a strip fifteen miles wide along the southern border, including Philadelphia. Virginia wanted a block of western Pennsylvania, which included the site of Pittsburgh. And Connecticut coolly asserted and tried to maintain claims to the entire northern half of the commonwealth's territory. They were all willing that she should retain country to the width of one degree of latitude, from the Delaware River to the Allegheny and Monongahela Rivers—except the territory immediately adjacent to the junction of those streams.

But Pennsylvania's champions were not asleep. They not only resisted the claims of these three states, but they did their best to make good their claim to the territory of others.

I. When Penn and Baltimore Clashed

The first struggle began when William Penn thought of the vast domain handed to him by his charter. Not satisfied with the broad lands which were his without the shadow of a doubt, he made up his mind to have some of the lands which Lord Baltimore thought had been included in the charter which gave him Maryland.

Penn wanted outlets to the sea. These he proposed to secure in two ways. The first plan was to take advantage of the additional grant made to him by the Duke of York of the territory now comprised in the State of Delaware. This was conveyed for a period of ten thousand years by a deed of feoffment in August, 1682. And the second plan was to say to Maryland, "You have no right to the country between the 39th and 40th degrees of latitude. I have that right, and I propose to assert it in such a way that I may have the choicest part of Chesapeake Bay, with the lands on either side of it."

Lord Baltimore would have liked to resist the claim to the Delaware counties, for these covered a portion of the eastern shore which, physically at least, belonged to Maryland. But he knew that he had not a shadow of a chance in a contest in this direction. But the case was far different as to the claims to the country farther west, along the Chesapeake. With more or less vigor and persistence he resisted the fight that began almost as soon as the arrival of William Penn on this side of the Atlantic, and continued for more than seventy-five years, through the lives of the successors of the original litigants, then through the lives of those who succeeded them, and through the lives of those who followed them.

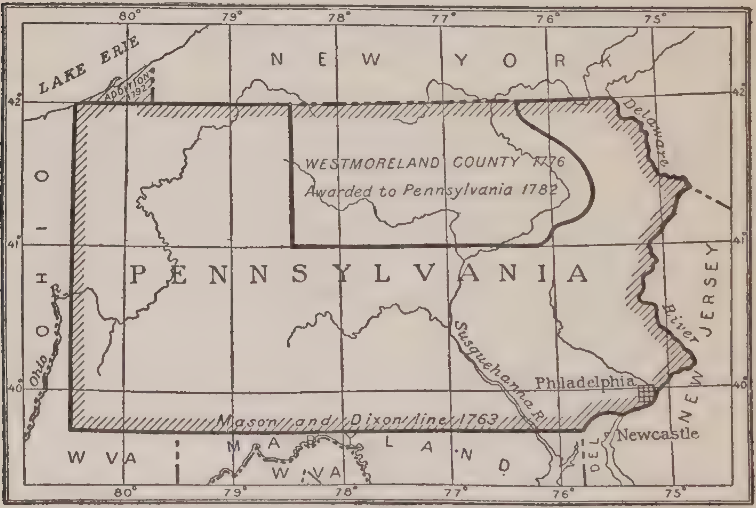
The story of these years shows that there were good fighters on both sides of the argument. It has been remarked that "the controversy was merely a case of pertinacity *versus* pugnacity, and, as usual, pugnacity won out." And another historian has said: "If, however, there was anything that could equal the facilities of the Marylanders in making trouble, it was the untiring perseverance with which the Penns devoted themselves to the contest and followed their opponents in all their doublings—and they had their reward."

A Maryland writer says, apparently with some justification:

"Whatever may be the prevailing opinion as to the character of William Penn, it is clear that in dealing with the Catholic Lord Proprietor of Maryland, his Quaker principles did not cause the spirit of brotherly love to control his actions. On the contrary, after his strong desire to acquire for his province the command of a suitable water communication with the ocean made him extremely covetous of the northwestern part of Maryland, he did not scruple to league himself with the unprincipled Duke of York, not only for the purpose of robbing Lord Baltimore of that part of his province, but even—when the Duke became King James II—for making 'void' the Maryland charter."

The grounds of the claim of the Quaker Proprietor were curious, to say the least. He pointed out that the charter of Maryland granted lands *hactenus inculta* (hitherto unsettled). Since both the Swedes and the Dutch had made settlements on the sites of Wilmington and New Castle, the lands to the west of the lower Delaware could not be called unsettled. True, these settlements were not made until after the date of Lord Baltimore's charter, but, inasmuch as the Maryland colonists had failed to settle along the Delaware, preferring to live on the Chesapeake and its tributaries, that failure had deprived Lord Baltimore of his right to claim the lands in the latitude of the settlements of others. Is it any wonder that some writers have asserted that the frankness and good faith of Penn were open to question?

But still more curious was the argument against the interpretation by Lord Baltimore of the claim in his charter that gave him land extending to "that part of the Bay of Delaware on the north which lieth under the fortieth degree of north latitude." Now the fortieth degree extended uncomfortably far north, so much farther, in fact, than had been thought when the charter was given, that the site of Philadelphia was actually within the bounds of Maryland—that is, on one interpretation of the language of the charter.



HISTORICAL DIAGRAM OF PENNSYLVANIA

William Penn did not propose to accept that interpretation, however. By peculiar casuistry he proposed to make "under the fortieth degree of north latitude" mean only to the thirty-ninth degree. It is difficult to see how even a casuist could make thirty-nine seem forty! Though Sydney George Fisher says that the natural meaning of the language of the charter was that "the bounds were to extend north until they subjoined that part of Delaware

Bay which lay under, that is, was within, or was covered by the fortieth degree, and this would make the end of the thirty-ninth degree the boundary."

The ground was thus prepared for what was perhaps the most bitter of the border controversies of colonial days. For generations it dragged its slow way through conferences, appeals, royal mandates, and even armed conflicts. "What in 1681 had been a disagreement between two gentlemen as to the line between their estates in 1750 became a quarrel between two commonwealths for the possession of a principality."

First blood was drawn by William Penn when he succeeded in getting from Lord Chief Justice North of England the decision that the southern boundary was at the beginning of the fortieth degree, or the thirty-ninth degree. The decision was probably due to a misunderstanding of the facts, but it was made, just the same. To this Lord Baltimore responded that his grant gave him much more land. And Penn retorted that, even if this were true, his charter was later by fifty years; if, therefore, the boundaries set in it overlapped those of Lord Baltimore, the latter's boundaries were annulled!

Next Penn offered to Lord Baltimore a compromise. But there could be no compromise for a man who had vision not merely of retaining all his former bounds, but of extending them into the lands of his neighbor to the north.

Then came the first of many legal battles. Baltimore appealed to the king's privy council. Their decision ordered the division of the Delaware peninsula between the litigants, according to the north and south line that divides it on present-day maps.

The contest continued, with varying fortunes, for many years. Sometimes one Proprietor had the advantage;

again victory seemed to belong to his adversary. After a second decision as to Penn's rights to Delaware, made in 1709, Baltimore left him alone in the enjoyment of the "three lower counties on Delaware."

But the larger question of the fortieth degree was still unsettled. "Year after year," one historian says, "the people on the border, uncertain of their position, refused to pay taxes to either government; the sheriffs of adjoining counties carried on a warfare of petty annoyance, and rough, lawless men appeared, who willingly made the disputes between the provinces an excuse for fighting."

A milestone in these boundary disputes was marked by the Proclamation of May 15, 1724, by Sir William Keith, who was known as the Governor not only of Pennsylvania, but of the "Counties of New Castle, Kent and Sussex upon Delaware." (This double title is a reminder of the fact that, while after 1693 Delaware had a separate legislature, and, after 1710, its own legislative council, the Governor of Pennsylvania continued to be the chief executive of Delaware, until 1776.)

The proclamation, which has been preserved by the Historical Society of Pennsylvania, was written "upon Reading this Day in Council an original agreement between the Right Honourable Charles, Lord Baltimore, Proprietor and Governour of Maryland, and the Honourable Hannah Penn, Widow and Executrix of William Penn" in the following words:

"Whereas there are Disputes depending between the respective Proprietors of the Provinces of Maryland and Pennsylvania, touching the Limits and Boundaries of the said Province, where they are contiguous to each other, and whereas both Parties are at this Time sincerely inclin'd to enter into a Treaty, in order to take such Methods as may be advisable, for the final determining the said

Controversy, by agreeing upon such Lines or other Marks of Distinction, to be settled as may remain for a perpetual boundary between the two Provinces. It is therefore mutually agreed between [the parties named] . . . that for avoiding all Manner of Contention and Difference, between the inhabitants of the said Province, no Person or Persons shall be disturbed or molested in their Possession, on either Side; nor any Lands be Surveyed, Taken Up, or Granted, in either of Said Provinces, near the Boundaries which have been Claim'd or pretended on either Side."

This agreement was made for a period of eighteen months, until the true boundaries were determined and settled. It is therefore evident not only that the contesting parties were much more sanguine of reaching an early settlement than past events justified, and that it was easier to make a promise that would have saved much difficulty than it was to fulfill that promise.

A second curious document, preserved by the same society, is a copy of the address of the Mayor of Philadelphia, made July 16, 1726, to the Honourable Patrick Gordon, on his arrival to assume the office of Lieutenant-Governor of the Province of Pennsylvania and the Delaware counties. The paper, which was adopted at the first ensuing meeting of Council, is of value because of its bearing on the controversy, and because it reveals the obsequious methods of reference to those in power, in the days of the king.

"It is with Pleasure we find those Disappointed, who by Rumours and false Insinuations, before they Arrived seem'd to raise a doubtful apprehension as to the Peace and good Government of the Provinces, &c, and We have the satisfaction to see, that not with Standing the Discontents and Representations of our late Worthy Proprietor are not yet so happy as to have their respective Claims and Rights fully adjusted; yet they have prudently Join'd in Care for their and our General Interest, by Constituting a Gentleman of so Fair a Reputation with full and unquestionable Power, Compleated by the King's Gracious Approbation, not with standing the unexpected Efforts made against it. An Instance among Many, of his Majesty's Delight, in preserving the Rights of his Subjects, and how vain are all attempts to Excite his Power to the Contrary."

Only six years after this broadcasting in 1724 concerning the purpose of both sides to refrain from surveying, taking up, or granting lands near the boundaries, Thomas Cresap, who was so soon to win fame as "The Maryland Monster," bought a tract of land in what is now York County, Pennsylvania, on the banks of the Susquehanna River. On the estate thus procured Cresap built a fortified house, which became known as one of a chain of forts designed for service against the Indians. At least this was the ostensible purpose of the block house. It was shrewdly surmised, however, that Cresap was an assisted colonist—that is, the way to acquire and maintain his new property was made easy for him by those in power in Maryland. Would it not be fine to have in disputed territory a leader who could be depended on to side with the Colony to the south? When proof was asked of the statement that Cresap was there for a sinister purpose, it was pointed out that, only a little while before he removed to the bank of the Susquehanna, he was compelled to flee to avoid a judgment for nine pounds. How, then, did he so soon secure funds for a major investment? And why was he allowed favors by Maryland, such as concessions in quit rent and in taxes? Why was it a part of Maryland's policy to grant like favors to all who would hold land for

Lord Baltimore against all comers, especially those from Pennsylvania? Finally, why was he given, soon after his arrival, a commission from Annapolis that made him justice of the peace and captain of militia?

Soon after Cresap's descent on the border country, came the first events in what became known as the Conojacular War. The Pennsylvania Archives tell how, in 1732, a Lancaster County magistrate complained to the Governor and the Council because Cresap had been abusive of friendly Indians, and so had imperiled the peace and safety of the community. The charge led to Cresap's going to Annapolis, where he was told that if he behaved himself he would be given ample protection from enemies in Pennsylvania.

During the next few years so many charges were made against him by those who lived about him that, in Pennsylvania, he was thought of as an ogre, though the Governor of Maryland was just as insistent that he was "a very sober and modest person."

Came 1732, and with it an attempt of Maryland sympathizers to set up a ferry close to that run by the Wright Brothers, near what is now Wrightstown, Pennsylvania—a town, by the way, that just escaped being made the capital of the United States. With a force of armed men, Cresap was sent to protect those in charge of work for the new ferry.

When the sheriff of Lancaster County learned of the presence of this force in the neighborhood, he tried to surprise Cresap in his home, at night. But the plan was frustrated by wide-awake Mrs. Cresap, who, on seeing the sheriff and his men cross the river, mounted a horse and hurried with the news to Pleasant Garden.

During the skirmish that followed, a shot from Cresap's gun wounded one of the sheriff's posse, so that he died soon afterward. When he was shot, one of his comrades asked Mrs. Cresap for a candle, for use in locating the bullet. Her spirited refusal was accompanied by the assurance that she did not care if the bullet was found in the man's heart. When Pennsylvania brought a charge of murder against Cresap, he was acquitted at Annapolis.

The next stage in the war was marked by threats rather than attacks. The Marylanders were told what awaited those who continued to pay to Lord Baltimore for lands within Pennsylvania-claimed boundaries. Again there was a rumor that the Indians would be stirred up against the squatters. Probably this was only idle talk, as was most of the acrid correspondence between the Governor of Pennsylvania and the Governor of Maryland.

During this period the Governor of Pennsylvania wrote to the justices of Chester, Lancaster on the Susquehanna, and New Castle, Kent and Sussex on the Delaware as follows:

"You are not, I believe, insensible how much the whole country has been disappointed in the just hopes which have been entertained of seeing a final period put to those long-pending disputes between this Government and that of Maryland, touching their respective boundaries, by the execution of the solemn agreement concluded between the Proprietaries of each. It is, however, no small satisfaction to me that I can now acquaint you that this agreement, with the proceedings of the commissioners thereon, having been laid before his Majesty's attorney and solicitor-general, we have had the pleasure of lately receiving their opinion, that the agreement still remains valid and binding on both Proprietaries, although their commissioners, by reason of difference in sentiments, have not carried it into execution.

"Now, as the northern bounds, formerly set by Lord

Baltimore to himself, differ not much from those lately agreed upon, I know not how we can judge better or with more certainty of any bounds by which we limit our present jurisdiction than near the place where it is known they will fall when the lines shall be actually run.

"In the meantime, that a stop may be put to any further insults on the people of this Government, and encroachments on lands within the bounds of the same, I am again to renew to you those pressing instances I have repeatedly made, that, agreeable to the duty of your stations, you exert your utmost endeavors for preserving peace throughout your county, and protecting all the inhabitants in the just and right possessions, in legal and necessary defence of which every person ought to be encouraged to appear with boldness, and to be assured of receiving all the countenance that lawful authority can give.

"And as the late disturbances have been in a great measure owing to the unjust attempts of those who, pretending right to, or claiming disputed lands, under that pretense, have come many miles into this Province, and with force possessed themselves of lands for which they can have no lawful grant from any other persons but our Honorable Proprietors only, and have likewise committed very great violences upon sundry of our inhabitants, you are to give strict orders for apprehending and securing all such who have been principals or assessories therein, as well as those who hereafter shall presume to offer an injury to the persons or professions of his Majesty's peaceable subjects or encroach on any lands within the known and reputed limits of your county, that they may be brought to condign punishment.

"But as, in the year 1724, it was agreed 'that for avoiding all manner of contention or difference between the inhabitants of the two Provinces, no person or persons should be disturbed or molested in their possessions they then held on either side,' you are desired still to have a particular regard to those entitled to the benefit of that agreement, while they behave themselves peaceably."

Action succeeded talk once more in 1736, when Cresap's home fortress was attacked by a company of men "armed with Guns, Pistolls and Swords," according to Cresap's complaint made to the Governor of Maryland. When he was called on to surrender, he refused. "I thought I had a good cause on my side, and the laws of England to protect me," he afterward explained. When the house was set on fire, those within the walls were forced into the open, Cresap among them. He was first wounded, then was taken prisoner. With hands tied behind his back, he was carried across the river. A companion said that, though the Herculean prisoner was watched and guarded by a man on each side, he seized a favorable opportunity and pushed one of them into the river. Because it was dark, "the Pennites thought it was Cresap in the water, and fell upon him randum tandum with their poles; but poor Paddy—he was an Irishman—not pleased at all with their efforts, made such lamentable cries, that discovering their mistake, they hoisted him out of his cold bath."

At Lancaster, Cresap once more exerted his great strength. When a blacksmith attempted to fasten shackles on him, he raised his fists and brought them down on the head of the artificer, so that he fell to the ground.

Finally, after a journey marked by the attention of curious thousands, the captors took their prisoner into the chief city of the Penns. "What do you think of Philadelphia?" Cresap was asked. "Why, it is the finest city in the Province of Maryland," was the undaunted reply of the doughty Cresap.

The time seemed ripe to send official request to the King of England to put an end to "this Proceeding by Fire and Sword to establish the Bounds which are now in dispute." "These outrageous people" of Pennsylvania were causing great trouble. The result was the order of the king in Council, dated August 18, 1737, that the two Proprietaries make no further grants of land in the disputed territory.

Cresap remained in the jail at Philadelphia until that document was published. His captors had tried in vain to persuade him to depart, but he refused to do so for nearly a year, evidently thinking that the king's action would do him some great honor. Any such ideas were conclusively removed by a conciliatory paper that ignored Cresap.

The Pennsylvania Colonial Records tell how, in February, 1748, a complaint came from Annapolis that "two Persons in possession of Lands two miles to the Southwest of the Temporary Line held under the government were turned out of their Possessions, and one of them conveyed into Nottingham, and there compelled to enter into a Bond" to present himself at Chester. Force was given to the complaint by the citation of the King's Order of 1737, enjoining "the Governeurs of these two Provinces upon pain of incurring his highest displeasure not to permit or suffer any Tumults, Riots, or other outrageous Disorders to be committed on the Borders of the respective Provinces."

In August, 1747, Governor James Hamilton of Pennsylvania wrote promising to look into the matter, and to do justice if a wrong had been committed. A little later, in another letter, he said what must have made the Governor of Maryland angry: "You'll pardon me, I can't easily comprehend what you mean." But no opportunity was given to make charges against him, for he added right loyally, "I shall upon all occasions inviolably observe the King's Order."

On May 10, 1749, a petition was sent to the Governor of Pennsylvania which told of the first stage of new trouble. The Colonial Archives explained how:

"The Inhabitants of Little Connewago in the County of Lancaster, on the west side of the Susquehanna, complained that they live adjoyning to a Certain Tract of Land belonging to John Diggs, 6,822 acres held by Maryland right. [This tract, known as Diggs' Choice, was to have a famous part in the border controversies.] The Diggs claim 3,000 acres more by virtue of a re-survey, on which survey your petitioners are now living, and have Warrants from Pennsylvania. Diggs threatened to remove them unless they pay him £100 Maryland money.

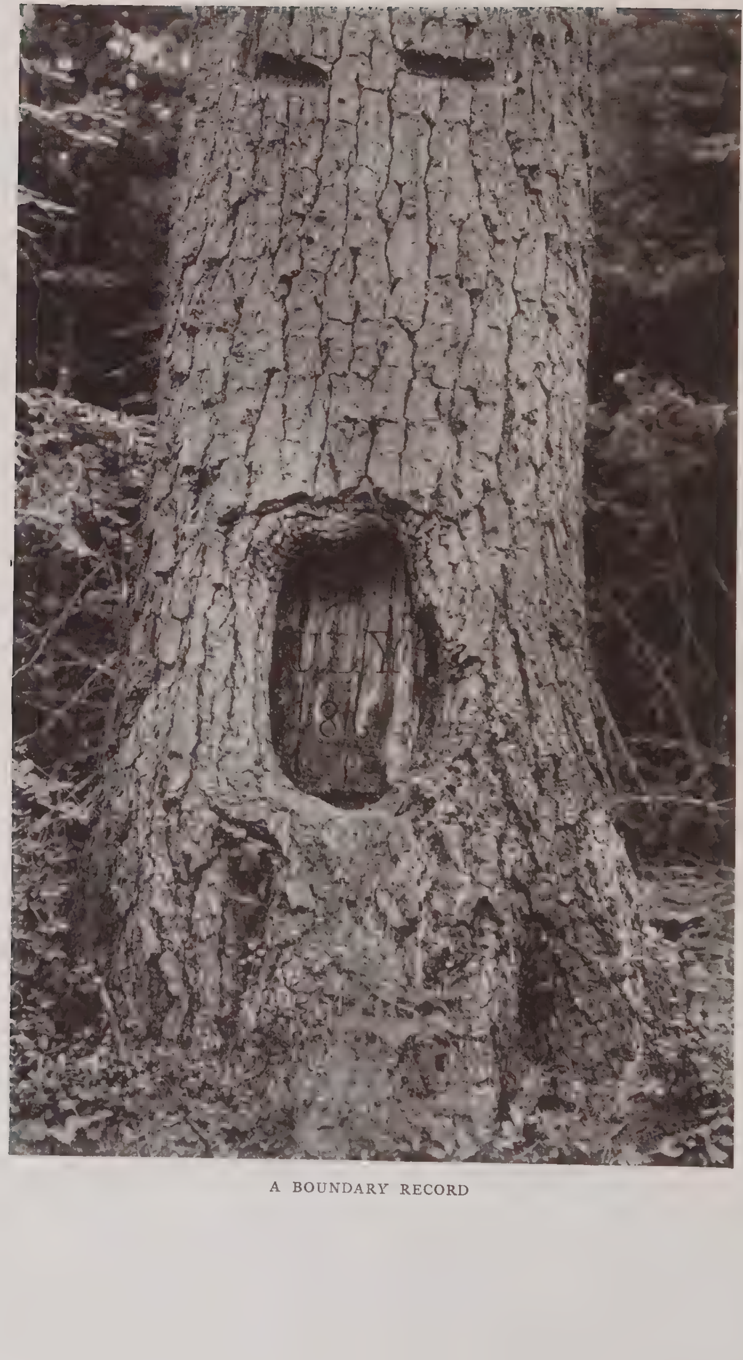
"Now your petitioners shew that they are under a great concern and daily terror lest they should be carried into Maryland, and there confined," the petition concluded, at the same time making request that speedy measures for their relief be devised.

The sequel of the trouble at Diggs' Choice came in February, 1752, when Dudley Diggs, son of John Diggs, was murdered. President Tasker of Maryland wrote on April 16, 1752, to Governor Hamilton of Pennsylvania, asking for the delivery of the murderers for trial. Governor Hamilton replied that the murder had been committed "to the Northwest of the Temporary Line run by his Majesty's order in the year 1738," and that the man charged with the murder was then at York, in Pennsylvania, to stand trial. Then he went on in what must have been a trying manner to the recipient of the letter:

"I presume these matters are indisputable and well known to you, therefore why you should hope I would wrest the offender out of the Hands of Justice here and

COURT-HOUSE, NEW CASTLE, DELAWARE
(THE OLDEST PART OF THE BUILDING DATES FROM 1684)

THE STONE AT CHESTER, PENNSYLVANIA, THAT MARKS THE LANDING-PLACE OF WILLIAM PENN



A BOUNDARY RECORD

order him to be delivered to the officers of your Province for Tryal, merely because you are pleased to alledge the Place where the Fact was committed lyes within the Limits of your Province and Government, appears to me somewhat extraordinary.

"Such an afflicting Disaster must now too late suggest to Mr. Diggs very sorrowful reflections on the Imprudence of resorting to Force though under color of Law, to gain the Possession of disputed Lands on the Border, especially at this Juncture, when he has great reason to hope for a speedy end to all our Differences by an Execution of the Lord Chancellor's Decree."

The decree referred to was made in 1750, after an appeal taken to compel Lord Baltimore to stand by an agreement made in 1732, with the sons of William Penn, yielding to them all they had been demanding since William Penn's original demand of 1681. The agreement was concluded before Lord Baltimore realized what he was giving up, so, when he learned the extent of his generosity, he repented his act.

A rare book, copies of which repose in the treasure vaults of several libraries, tells of the preparation made by the Penns for the hearing in the High Court of Chancery. The folio volume contains but 115 pages, yet there are in it approximately 350,000 words. It is a well-ordered Brief for the Plaintiffs, "upon a Bill to Compell a Specifick Execution of Articles of Agreement entered into between the Partys for settling the Boundarys of the Province of Pennsylvania, the Three Lower Counties, and the Province of Maryland."

Attached to the *Breviat,* as it was called, was a copy of a map which showed the "temporary limits of the jurisdiction of Pennsylvania and Maryland, fixed in the year 1739, according to his Majesty's order in Council, in the year 1738." This was the line agreed to in 1732 between the Proprietaries.

A second line, farther south, showed "the North Boundary of Maryland according to Lord Baltimore's map," about the year 1635.

The result of the hearing was to declare "that the Article of Agreement of the 10th of May, 1732, was valid and obligatory."

It was therefore decreed, that the boundaries be marked out beginning "at the farthest some time in November next," and ending on or before the last day of April, 1752. Boundary stones were to be placed, bearing on one side the arms of Lord Baltimore, and on the other side the arms of the Penns.

The order further required that the survey should include the marking out of a semi-diameter of twelve miles, centering at New Castle, Delaware, and that the circle so drawn should be a part of the southern boundary of Pennsylvania. Then the remaining boundaries of Delaware were to be fixed as they are to-day. Finally, a line was to be drawn from a horizontal point on the circle line, westward, across the Susquehanna, "to the utmost western Extent of the said Province of Pennsylvania." In view, however, of the scarcity of population west of the Susquehanna, it might not be necessary to complete the line more than twenty-five miles from that stream.

In accordance with the decree of the court, a joint commission met at New Castle, Delaware, in November, 1750. A series of odd entries in the journal of one of the surveyors tells how the middle of the town of New Castle was discovered, that the circular boundary might be described, with this as a starting point:

"Got in readiness to try to find a meridian which was essayed after this Manner a Candle being placed in a Lanthorn on the top of a chimney and a plummet suspended on a kind of a Gallows raised for that purpose, it was carefully observed at what time the last Star in the Tail of the Little Bear together with the Candle placed as above came into the same Azimuth Circle at which time the Stars were on the Meridian."

What a pity it was that this ingenious attempt to determine the town's center of gravity was made useless by an arbitrary decree to take the courthouse at New Castle—even then it was a venerable edifice; how much more so to-day!—as the all-important center. The center and the circular line had been marked out in 1701. The work of the surveyors in 1750 was another stage in the story of this peculiar boundary, the only circular boundary of a state to be found on the map.

In spite of the line limits set by the decree of 1750, many years were still to pass before the boundaries were marked. "The Penns and the Calverts higgled like retailer and customer for ten years," says a Delaware historian, "each eager to get the better of the other by any shameful trick of interpretation. In the end the Calverts gave up their extreme demands, and the land-hungry proprietors reached an agreement for the survey of the boundaries."

The slowness of local surveyors led to the importation from London of Charles Mason and Jeremiah Dixon, who, between 1763 and 1768, ran the line which has since been known by their names, to a point 244 miles westward from the northeast corner of Maryland. Their work was so well done that when, in the years 1901 to 1903, a commission authorized by the legislatures of Pennsylvania and Maryland relocated the line, they had every reason to commend the surveyors who labored more than a century before them. Their chief work was the relocation of monuments which had disappeared, that the line might be plain in all its length.

The final chapters in the old dispute were not written until lately. Near the close of the nineteenth century final decision was made as to the ownership of what was long known as "The Flat Iron." This has been described as "a sharp little tongue thrust between the arc bounding Delaware on the north, and Maryland on the west. Mason and Dixon said that the Flat Iron belonged to Pennsylvania. But neither Delaware nor Pennsylvania seemed ready to own it. "William Smith, resident in the triangle, sat in the Delaware legislature, where he was addressed as 'the gentleman from Pennsylvania'," says Edward Noble Vallandigham. "Duels and prize fights took place in the debatable land, and Pennsylvania vainly tried to assert jurisdiction over its inhabitants, but they kept on voting and paying taxes in Delaware. In 1849 United States engineers surveyed part of the arc and reset some warning stones, in doing which they again assigned the triangle to Pennsylvania, though with no effect except to make the residents more than ever Delawarean in allegiance. A quarter of a century ago Pennsylvania, wearied of petty strife, formally ceded the triangle to Delaware, but Delaware took no official notice of the cession, except to say metaphorically, with thumb at nose, and four fingers in rapid fanning motion, 'You be blowed. It was always ours.' "

One more chapter remained. A fresh marking of the Circle Line became necessary. This was done in 1892 by a joint commission. Yet one of the landowners who was thrown by the new line into Pennsylvania, called for a decision by his refusal to pay taxes in Pennsylvania. The new line was held to be illegal, because those who ran it had gone beyond the letter of their instructions. Pennsylvania thereupon ratified the work done, but Delaware refused to do so, until March 28, 1921. On June 30, 1921, Congress ratified the compact thus entered into between the States.

But this did not end discontent. J. Carroll Hayes of West Chester, Pennsylvania, has told of subsequent events:

"Some of the landowners who were transferred to Pennsylvania by the new line still protested against this transfer without their consent. They called a public meeting in June, 1921, which was held at the village of Union, Delaware, close to the boundary line. To this were invited the tax authorities of New Castle and Chester Counties, a representative of the Chester County Historical Society, and others.

"Addresses were made on the legal and other phases of the subject. All were given an opportunity to express their views, and a few of the protesting landowners assumed the role of the 'embattled farmers' who 'stood and fired the shot heard round the world,' or rather round the Curve, in this case. It proved to be a sort of 'town meeting.' Some strong language was used, such as 'liberties,' and 'revolution.' Threats of resistance were made, and of an appeal to the United States Supreme Court."

Nothing was done, however. So the last disagreement on the boundary in dispute for more than three hundred years seems to have disappeared.

II. The Struggle for Pittsburgh

Virginia's claims to Pennsylvania territory included all the southwestern portion of the present State, even including the site of Pittsburgh, at "The Forks of the Ohio." Those claims were based on the generously vague charter of 1609, as well as on the fact that Penn's charter—so Virginia declared—did not give him land beyond the mountains. More than this, hardy Virginia pioneers pushed their way westward to these disputed lands. Access to them was much easier from Virginia's territory than from Pennsylvania's eastern lands.

The encroachment of Virginia's men on lands claimed by Pennsylvania was made under cover of permission from King George II. In 1749 the Ohio Land Company, chartered by him, was given half a million acres of land on the Monongahela, the Allegheny, the Ohio, and regions west of the river. The king and his advisers felt that, through the activities of the company and those who received grants from it, settlements would be made which would block the disquieting attempts of the French to grasp that strategic location.

Eventually Virginia laid claim to everything in southwestern Pennsylvania west of Laurel Ridge.

Had not roads been built by Virginia into western Pennsylvania?

Had not Pennsylvania refused to appropriate money and send soldiers for the defense of the settlers threatened by French and Indians?

Had not the Ohio Company built the fort at the Forks of the Ohio which became Fort Duquesne when it was taken by the French, and, when rebuilt after the French were driven out, was named Fort Pitt? And was not that fort later called Fort Dunmore, in honor of the Governor of Virginia who had accomplished wonders for the pacification of the country?

Had not Virginia in 1753 sent George Washington on a mission to study the French menace and devise means for saving the country from it?

And what about the heroic struggle at Great Meadows, the building of Fort Necessity, the unfortunate expedition of General Braddock, and Colonel Bouquet's victory over the Indians at Bushy Run in 1764? Were not Virginians leaders in all these events?

For a time Virginia extended her government over part of the disputed territory by the organization of West Augusta District, and, later, of Yohogania County.

A curious letter has been preserved which tells of one of the early attempts on the part of Virginia to overawe Pennsylvania. This was dated November 22, 1749, and was sent from President Thomas Lee of Virginia to Governor Hamilton of Pennsylvania. It told of the genesis of the Ohio Company:

"His Majesty has been graciously pleased to grant to some Gentlemen and Merchants of London and some of both sorts Inhabitants of this Colony a large Quantity of Land West of the Mountains, the design of the grant and one condition of it is to Erect and Garrison Forts to protect our trade and that of any of our neighboring Colonies."

Then the letter became a protest:

"But your Traders have prevailed with the Indians Down the Ohio to believe that the Fort is to be a bridle for them, and that the roads which the Company are to make are to let in the Catawbas upon them to destroy them."

Appeal was therefore made to Governor Hamilton to put a stop to "these Mischievous Practices of those Traders."

Four weeks later he wrote again telling of his request for a king's order "for running the dividing line betwixt this Colony and yours, else many difficultys will arise upon sealing the Large Grants to the Westward of the Mountains."

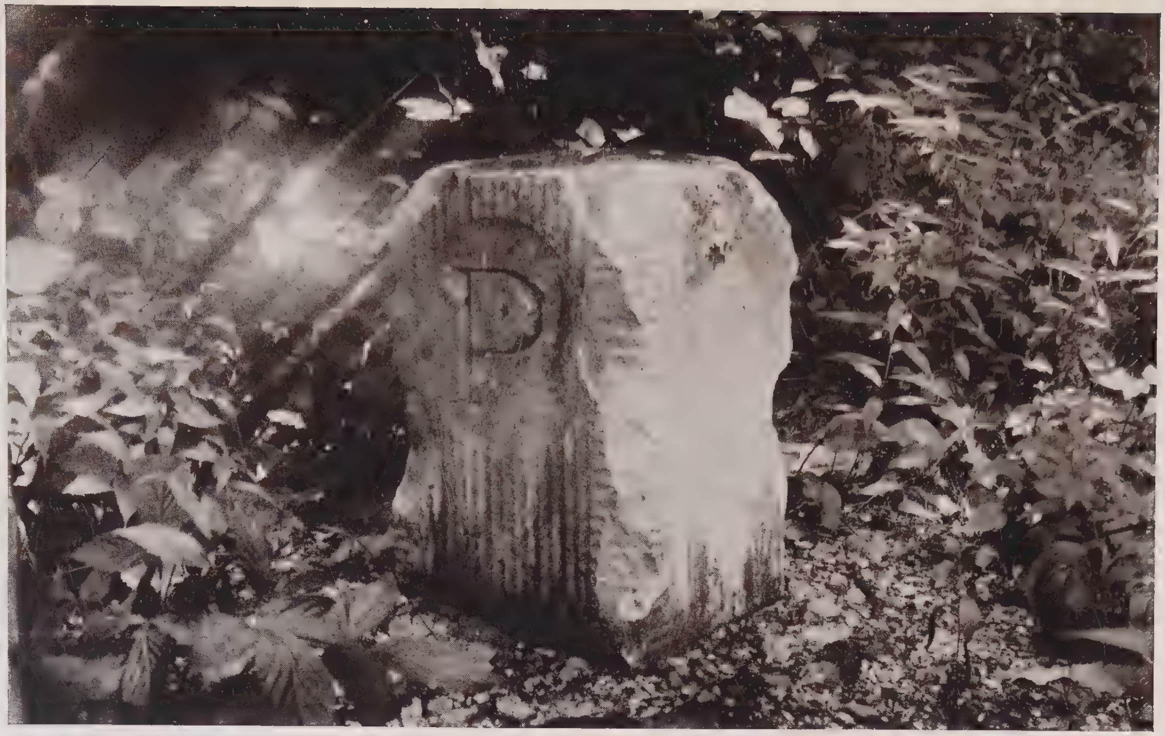
One of the most interesting things in connection with the long-drawn-out dispute was the prominence in it of Thomas Cresap, who had already won unenviable notoriety in connection with the boundary dispute between Pennsylvania and Maryland. When he disappeared from York County he made his way over the mountains. Later he opened a road sixty miles long from the mouth of Wills Creek across the Laurel Mountains to the junction of Redstone Creek with the Monongahela River. This road proved an invaluable link in the passage from the Potomac River to the Ohio River.

Christopher Gist, as well as Washington's half-brothers, Laurence and John, were among other leaders in behalf of Virginia. Gist, as agent of the Ohio Company, was sent to explore the country and to assist in holding it. The Washingtons were interested in the company, and held grants made by it.

At last Pennsylvania was roused to action. All of the southwestern portion of the province west of Laurel Hill was organized as Westmoreland County. Its seat of government was Hannastown, not far from the present-day Greensburg.

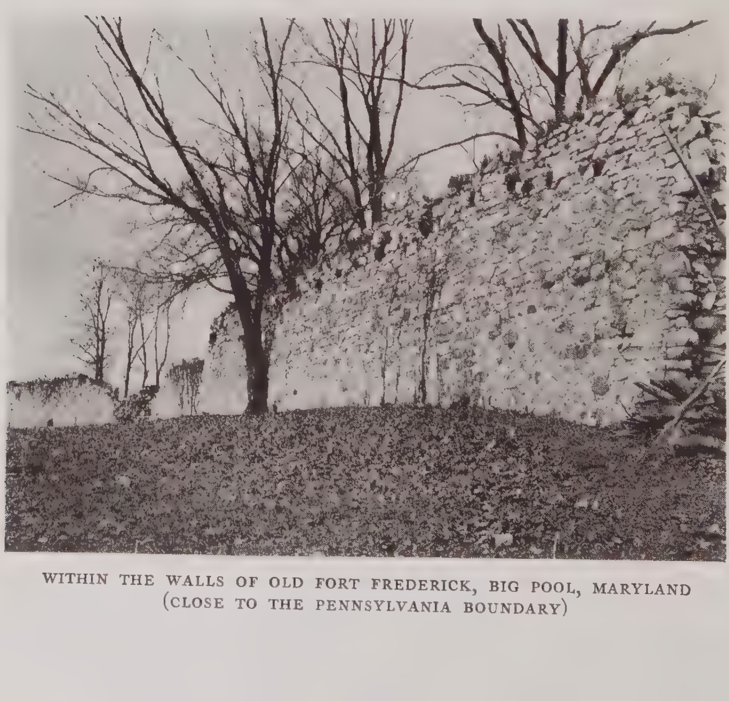
The Earl of Dunmore, Governor of Virginia, declared that Pennsylvania had no right to Westmoreland County; all the territory west of Laurel Ridge belonged to the Old Dominion; it was not in Penn's Colony. His right extended from the mountains even to Pittsburgh, and beyond. He would contest the claim of Pennsylvania. He would show them that it was not proper for the Penns to offer lands west of the Susquehanna for sale to settlers at £5 for 100 acres, or at any other price; the land belonged to Virginia.

So Governor Dunmore sent to Pittsburgh Dr. John Connelly, a commandant of militia, charged to obstruct the



MILESTONE ON THE MASON AND DIXON LINE
(NOTE THE HAVOC WROUGHT BY RELIC-HUNTERS)

NEAR THE BOUNDARY IN FRANKLIN COUNTY, PENNSYLVANIA



WITHIN THE WALLS OF OLD FORT FREDERICK, BIG POOL, MARYLAND
(CLOSE TO THE PENNSYLVANIA BOUNDARY)

Pennsylvanians who were so foolish as to question Virginia's rights. Connelly was himself a Pennsylvanian, but he found no difficulty in opposing his own province.

One of his first acts was to issue a proclamation in which he called on all the people of the region to enroll in the militia designed to make Virginia's claims effective.

Arthur St. Clair, Prothonotary of Westmoreland County, feeling that what he called the effrontery of Dr. Connelly should not go unchallenged, ordered his arrest. He was incarcerated in the jail at Hannastown, but was later released on bond, with the understanding that at the next session of the Westmoreland court in Hannastown he would present himself for trial.

Connelly kept his promise, so far as returning was concerned. But with him he brought about one hundred and fifty armed men. Sentinels were placed at the doors of the courthouse, and the demand was made on the magistrates that they remain outside unless they promised, in writing, to acknowledge the authority of Virginia only.

Of course the magistrates refused, and Connelly felt he had no choice but to arrrest them and take them to Pittsburgh. From there they were sent for trial to Staunton, Virginia, the seat of Augusta County, of which Pittsburgh was a part, according to Virginia.

Governor Penn's response was to send a commissioner to Virginia, to induce Lord Dunmore to join with him in asking the king to settle the controversy between the Colonies by having the boundary marked. In the meantime, why not extend Mason and Dixon's line to the Monongahela River, then down that river to the Ohio?

Virginia was willing to ask for the fixing of the boundary, but she was unwilling to agree to Penn's suggested temporary compromise. The reason was that the settlement gave the site of Pittsburgh to Pennsylvania. But what a noble slice of that commonwealth would have been turned over to Virginia!

In spite of Pennsylvania's contention that Pittsburgh was eight miles within the bounds of the province, Virginia insisted on collecting taxes there, and administering the courts. Her people were in the majority, and her will was, for the time at least, the law of the land.

Trouble continued. Again Hannastown became a center of trouble. In February, 1775, Benjamin Harrison was sent there with a company of armed men. After breaking into the jail, he released the prisoners. By what right did Pennsylvania hold prisoners in Virginia territory? Robert Hanna, magistrate in Hannastown, voiced his protest, but his arguments were answered by taking him to jail at Fort Dunmore. There he was kept prisoner for some time.

The height of Virginia's fortunes was reached in 1775; in that year court was held at Fort Dunmore for the district of West Augusta, which included the counties of Ohio, Yohogania, and Monongalia.

But the triumph of Virginia was soon to end. Already Connelly was in disgrace, because his treacherous dealings with the Indians had led to the sanguinary struggle which has been called Dunmore's War. Later, during the Revolution, that leader's disgrace was completed by his arrest for treason. When released he found his way to Boston, where General Gage gave him a commission to raise a regiment of Indians to terrorize the colonists. Fortunately he was arrested when on his way to carry out these orders.

Perhaps these events had something to do with Virginia's readiness to consent, in 1779, to Pennsylvania's proposition to leave the adjustment of the boundary dispute to the hands of a commission. Among Pennsylvania's members on this commission were George Bryan and David Rittenhouse, while James Madison, who was to become President of the United States, was one of Virginia's stanch supporters.

On August 31, 1779, the commission agreed to recommend that the boundary line should be determined by the extension of Mason and Dixon's Line five degrees of longitude west from the Delaware River. When the southern boundary had thus been fixed, the western boundary should be a meridian line drawn from the western extremity of the southern boundary to the northern line, separating Pennsylvania from New York.

On November 19, 1777, Pennsylvania, by her assembly, concurred in the recommendation of the commission. But Virginia not only delayed action; she sent troops to Fort Burd, and authorized commissioners to go to Redstone Old Fort as well as to Coxe's Fort, in Washington County, there to give land certificates to claimants for land under Virginia rights. For generations the certificates given in this way have been known as Virginia certificates. Title abstracts to much of the land in a portion of southwestern Pennsylvania are based on these certificates. Among others, George Washington profited by them; his great holdings in Washington County, Pennsylvania, were secured from his own Colony.

At first Pennsylvania was determined to drive out all those who recognized Virginia authority as supreme. In March, 1780, the Assembly decided to expel all those who held land under the authority of Virginia. Steps were taken to provide troops for the defense of the boundaries.

Fortunately, however, necessity for further dispute ceased when, in the following July, Virginia ratified the recommendation of the joint commission of 1779, though with the understanding that the property and rights of all persons acquired under, or recognized by laws of either government, previous to the date of the agreement, be confirmed to them.

Pennsylvania did not like the provision, but two months later the Assembly agreed to it.

Matters rested until the close of the struggle with Great Britain. Then, in 1783 and 1784, the southern boundary line was run; in 1785 the western line was surveyed to the Ohio; and in 1786 this line was extended to Lake Erie.

So Pennsylvania retained Pittsburgh, as she had already triumphed in regard to Philadelphia.

III. The Story of the Erie Triangle

The maps in some of the geographies used in former generations carried, with the various State maps, in addition to the linear scale of miles, a miniature map of Pennsylvania, drawn to the same scale as the map illustrated. Pennsylvania's boundaries are so nearly rectilinear that this State seemed a good comparative measure.

But there is one notable departure from the rectilinear —the famous "Erie Triangle," as it has been called, in the extreme northwest portion.

Unconsciously men of several races and of many generations made a background of romance for this odd appendage to Pennsylvania.

Once it was owned by a tribe of Indians known among the original Americans as the Eries, or the "Cat Nation." For them it was a favorite fishing and hunting ground.

There came a day in 1615 when Etienne Brulé, who was attached to the exploring party of Champlain as his interpreter, paid a visit to the Indians by the lake. Years passed before more of the strange white men appeared

THE WYOMING MASSACRE MONUMENT NEAR WILKES-BARRE, PENNSYLVANIA

MT. POCONO, PENNSYLVANIA, FROM THE STROUDSBURG ROAD among them. The year 1626 brought La Roche Daillon, and four years later came Joncaire, who combined a taste for exploration and ability to treat with the Indians. La Salle's first visit in 1669 was repeated several times; on the last occasion he built, in the Niagara River, that strange sailing-vessel, the *Griffon*, which astonished the Indians before it glided triumphantly before the wind on its way to its mysterious fate on the waters of Lake Michigan.

But the first settlement by white men was not made until 1753; then the French built Presque Isle village. There a few score families felt reasonably safe from marauding Indians because of the fort among them, as well as the presence not far away of Fort Le Bœuf. A grist mill added to their comfort and convenience, a school-teacher helped the young people, and a priest ministered to all during the five or six years before the village was abandoned and the fort was evacuated by its French builders.

However, Presque Isle was considered too important a point to be forgotten. So the English, whose triumph at Quebec had led to the fall of the fortress by the lake, took possession, glad that they were able thus to dominate the passage to the Ohio River country. The wisdom of getting possession of this all-important key to the route from the Lakes to the Mississippi River was seen by George Washington, who, in 1753, visited Fort Le Bœuf, and there met in conference the commandant of Presque Isle.

The new masters of Presque Isle were not long permitted to hold undisputed possession of the post. In 1763 Pontiac, chief of the Ottawas, who had formed a league of the Indians against the British, succeeded in taking nine of thirteen forts, including Fort Le Bœuf and

Presque Isle. The genius of Francis Parkman has given a famous word picture of the events that led to the fall of the fortress by the lake on June 22, 1763:

"There had been hot fighting before Presque Isle was taken. Could courage have saved it, it never would have fallen. . . . At one of its angles was a large blockhouse, a species of structure much used in the petty forest warfare of the day. It was two stories in height, and solidly built of massive timber; the diameter of the upper story exceeding that of the lower by several feet, so that through the openings in the projecting floor of the former the defenders could shoot down upon the heads of an enemy assailing the outer wall below. The roof being covered with shingles might easily be set on fire, but to guard against this there was an opening through which the garrison, partially protected by a covering of plank, might pour down the water upon the flames. . . . And now the defenders could see the Indians throwing up earth and stones behind one of the breastworks; their implacable foes were laboring to undermine the blockhouse, a sure and insidious expedient, against which there was no defense. There was little leisure to reflect on this new peril, for another, more imminent and horrible, soon threatened them. The barrels of water always kept in the blockhouse were nearly emptied in extinguishing the frequent fires, and though there was a well in the parade ground, to approach it would be certain death. The only recourse was to dig one in the blockhouse itself. The floor was torn up, and while some of the men fired their heated muskets from the loopholes to keep the enemy in check, the rest labored with desperate energy at this toilsome and cheerless task. Before it was half completed, the cry of fire was again raised, and, at the imminent risk of life, they tore off the blazing shingles and arrested the danger. By this time it was evening. The little garrison had fought from earliest daylight without a minute's rest. Nor did darkness bring relief, for the Indian guns flashed all night long from the intrenchments. They seemed determined to wear out the obstinate defenders by fatigue. While some slept, others in their turn continued the assault, and morning brought fresh dangers. The blockhouse was fired several times during the day, but they kept up their forlorn and desperate resistance. The house of the commanding officers sank into glowing embers; the fire on both sides did not cease 'til midnight, at which hour a voice was heard in French, calling out that further defense was useless, since preparations were made to burn above and below at once. Ensign Christie, the officer in command, demanded if any one spoke English, upon which a man in Indian dress came forward. He had been made a prisoner in the French war, and was now fighting against his own countrymen. He said if they yielded they would be saved alive; if not, they would be burned. Christie resolved to hold out as long as a shadow of hope remained, and while some of the garrison slept, the rest watched. They told them to wait until morning. They assented, and suspended their fire. When morning came, they sent out two persons, on pretense of treating, but in reality to learn the truth of the preparations to burn the blockhouse, whose sides were pierced with bullets and scorched with fire. In spite of the capitulation, they were surrounded and seized, and, having been detained for some time in the neighborhood, were sent as prisoners to Detroit, where Ensign Christie soon made his escape and gained the fort in safety."

For many years the Indian was supreme once more in the country about Presque Isle. A British army on its way to Detroit in 1764 passed there, and on its return, stopped again, this time long enough to make a treaty with the savages. The stirring days of the Revolution once more led Great Britain to see the importance of the position. In fact, she saw this so well that she was reluctant to yield Presque Isle to the United States, in spite of the treaty of peace in 1783. John Adams, a minister to London, brought to the attention of the British authorities this failure to abide by the treaty. Yet not until 1795 was America able to take full control at the historic spot.

But during the interval came events that began the modern history of the Presque Isle region, of which the city of Erie is a part. Strangely enough, no State seemed to have a valid claim to the territory. New York thought it was hers, but a careful survey showed that the lands were outside of her jurisdiction. The claims of Massachusetts and Connecticut, based on original grants from the Crown, were worthless.

General William Irvine, who was surveying in northwestern Pennsylvania, noted the fertility and value of the ownerless lands, as well as the fact that Pennsylvania had no harbor and little part in Lake Erie. His report on these facts to the State led to the proposition to the legislature that this important section be added to the commonwealth's territory. On April 13, 1791, the governor was authorized to buy the Triangle. When New York, Massachusetts and Connecticut had released their claims to the United States, the more than two hundred thousand acres in question were bought from the latter for $151,640.25, or seventy-five cents per acre.

The official description called for a tract bounded "on the east by New York, on the south by Pennsylvania, and on the north and west by Lake Erie." The records show that when Congress passed the bill of sale the resolution read:

"That the United States do relinquish and transfer to Pennsylvania all their right, title, and claim to the government and jurisdiction of the said land forever, and it is declared and made known that the laws and public acts of Pennsylvania shall extend over every part of said tract as if the said tract had originally been within the charter bounds of the State."

But before the transfer could be made the Indian title to the lands had to be extinguished. This was done by a treaty at Fort McIntosh. Chief Gyantwachia (Cornplanter) was a leader in signing away rights to the coveted territory. The sum of £1,200 was paid to the Six Nations by the United States.

The Indians were not entirely pleased with the transaction, and they visited their resentment on Cornplanter. But Pennsylvania showed appreciation by giving to him a reservation near Warren. There he lived until his death in 1836, when he was more than one hundred years old. A monument to his memory was unveiled in 1867. These lands are still popularly known as the Cornplanter's Reservation.

On March 3, 1792, thirty-nine years after his conference at Fort Le Bœuf with a French representative from Presque Isle, George Washington as President of the United States signed the act conveying the Triangle to Pennsylvania. Thomas Jefferson as Secretary of State also signed the deed.

The first attempts to make a new town at Presque Isle were failures. Both British and Indians resented the activities of the Americans. Governor Mifflin of Pennsylvania directed that one thousand troops be sent to stop Indian opposition. President Washington sent a request that the colonization project be held in abeyance until the Six Nations were in a less inflammatory state of mind. But General "Mad Anthony" Wayne's victory over the Indians at Fallen Timbers changed the complexion of affairs; the cowed Indians no longer openly opposed activities.

So the way was open, for the act authorizing the founding of the town of Erie.

IV. The Pennamite Wars

The amazing story of the contest between Connecticut and Pennsylvania for a princely realm in the northeastern section of the latter State was more familiar a century ago than it is to-day.

This was another case of overlapping grants from the Crown. Originally Connecticut was told that she had land all the way from the Atlantic to the South Sea, or the Pacific. It was easy to make such grants in days when, as Sydney George Fisher points out in *The Making of Pennsylvania,* general opinion was reflected by the statement, made seriously in an old book, that "as the distance from the Atlantic to the Alleghenies was about three hundred miles, so the distance from these mountains to the Pacific was probably about the same."

Yet attention has been called to the fact that Charles II, who made the grant to Connecticut, was not so ignorant. He understood well that the distance between the oceans was probably about three thousand miles. Then why did he make such absurdly large grants? Probably "for the express purpose of laying claim to as much land as possible, so as to strengthen the position of England in her contests with Spain and France."

But it is just as certain that the royal grant to the Penns included lands within the parallels named in Connecticut's boundaries. In Pennsylvania it was declared that the later grant took precedence over the earlier grant. Connecticut denied this; it was the feeling of her people that nothing could be allowed to interfere with her prodigal claim in regions where she wished to go.

And some of her people wished to go to the Wyoming Valley in Pennsylvania, of which restless explorers made report in 1750. It is easy to imagine how attractively the returning spies must have talked of the region when even the prosaic history already referred to waxes eloquent over it after the following fashion:

"The valley was about twenty-one miles long, and three miles wide. The broad, rippling Susquehanna wound through it, now burying itself in groves of sycamore, and again flashing into the sunlight in wide expanses. There were woodland and meadow, level plain and rolling plain, and the remains of ancient fortifications of a vanished race. Mountain ranges bounded every side. The river entered the valley from the north, through a gap called the Lackawannock, and went out at the southern end, through the Nanticoke Gap. Both of these gaps were just wide enough to admit the water, and in some places had perpendicular walls on either side covered with laurel and pine. The valley had evidently been a deep lake which had gradually drained itself by erosion at its outlet, leaving a level, fertile floor shut in and secluded by the hills; and this floor, as was afterwards discovered, was underlaid by a bed of anthracite coal."

The present-day visitor who would see the valley in all its wondrous beauty has only to climb to Mountaintop on the Lehigh Valley Railroad. In one surprising instant the Lackawanna and Wyoming valleys are spread out in all their varied fascination. For twenty miles the towns and villages and the shining river appear far below. Is it strange that the sight made the pioneer of 1750 enthusiastic?

This vision was the real beginning of a conflict that lasted for fifty years—a conflict in which Connecticut had many advantages, chief of which was the fact that the Colony stood behind those who declared that the lands must belong to Connecticut, whereas, in Pennsylvania, the people held aloof; they thought of it as a struggle of the Penns for the preservation of private property rights. For this reason the Proprietors had difficulty in arousing enthusiasm sufficient to secure necessary garrisons. That they finally succeeded in making good their claim against Connecticut speaks well for their persistence and their resourcefulness—to say nothing of the fact that the better legal arguments were on their side.

It was in 1753 that Pennsylvania began to fear the coming of undesirable settlers from Connecticut. The organization of the Susquehanna Company, with the approval of the Connecticut authorities, gave notice that the six hundred members intended to make homes in the wilderness of the Wyoming. From that time activities before the Connecticut Assembly were constant and vigorous. On one occasion one Dyer, a champion of the cause of those who had yielded to the lures of the Susquehanna Company, was so eloquent that a popular couplet of the day told of him:

> "Canaan of old, as we are told,
> When it did rain down manna,
> Wa'n't half so good for heavenly food
> As Dyer makes Susquehanna."

In February, 1754, the Provincial Council of Pennsylvania received a letter from an anxious citizen of the Colony:

"Having heard that Some Persons under Pretence of an Authority from the Government of Connecticut had passed by Daniel Broadhead, Esquire, on the way to Wyomink upon Susquehanna River, in order to view the lands in these Parts, giving out that those lands were included within the Boundaries of the Royal Charter of the colony of Connecticut, and that they intended with a very considerable number of Families to go and settle there next Spring, and at the same time inviting the present Settlers within the Province in their Way to accept of Titles under the Government of Connecticut for Part of their lands. . . . Mr. Broadhead told me that my information was but too true, and that some of his near Neighbours had accompanied these Gentlemanlike men to Wyomink who produced a Writing under a large Seal, which they said was the public Seal of the Government of Connecticutt, empowering them to treat and agree with such Persons as were disposed to take any of the Lands . . . I am very apprehensive the Affair may not only be very injurious to the Interests of the Honourable the Proprietaries, but that it may also be the means of occasioning very great Disorder and Disturbance in the back Parts of Province."

Daniel Broadhead, who was a justice in Northampton County, wrote on March 2, 1754, giving the same facts.

Accordingly, the Council recommended that "the Governor write the Government and Deputy Governor of Connecticut, praying the Interposition of that Government to stop the Departure of these People on such a Dangerous Enterprize as this, least, together with the Concern raised in every Breast by the Unhappiness of a foreign Invasion, the Colonies should have the additional Affliction of seeing a Civil War Commence in the Bounds of

Two of their most Populous Provinces." And the question was asked, Why should the people of Connecticut "choose such a Disorderly and Dangerous Way of obtaining Possession of Lands when they may have a legal settlement in the Western parts of this Province and that of Virginia?"

But on March 13 Governor Wolcott replied telling of his regret that the French were blocking the way to the lands to which Governor Hamilton desired to turn the attention of the people of Connecticut. Therefore the people were turning to lands which they had reason to think were north of Mr. Penn's lands.

The letter from the Governor of Connecticut to the Governor of Pennsylvania did not give much satisfaction. Much was said that had nothing to do with the question—even the concluding joke:

"This brings to mind a Story a Gentleman told in that line that he went in to see his Negro Man, then dying, and seeing him just going, said to him, 'Cuffee, you are just going, are you not sorry?' 'No,' says the Fellow, 'Master, the Loss won't be mine.' "

Did Governor Wolcott mean to hint that he was not concerned in the arguments put forth by Governor Hamilton, because the success of the Susquehanna Company would not bring loss to Connecticut?

The season of the exchange of letters between the Governors brought to John Penn an appeal from the officers of Northumberland County, telling of the "Swarm of emissaries from Connecticut who were crowding among the people, seducing the ignorant, frightening the timorous, and denouncing the utmost Vengeance against any who may be hardy enough to oppose them." The petition went on to say: "Five hundred of the troops of that Colony are apply'd for, and expected under the disingenuous artifice of being a guard against the Indians." So the appeal was made "that this country, poor and but thinly settled, may not be abandoned and become a prey to a powerful Colony."

Matters moved swiftly from that day. In 1754 representatives of the Susquehanna Company went to Albany to a great council of the Six Nations, where it was hoped to bring up the Indian title to the lands in dispute. John and Rachel Penn, Isaac Norris and Benjamin Franklin represented Pennsylvania at the council, but they failed in their purpose to block the game of the Connecticut men. The chiefs of the Six Nations were not friendly to the Penns, who had made a practice of buying lands from the dependents of the Six Nations in Pennsylvania, rather than from their lords and masters.

Success at Albany emboldened the Susquehanna Company to send to the General Assembly of Connecticut, on May 2, 1755, a petition asking for a grant of lands on which would be settled a colony here "for the efficient securing said Indians in his Majesty's Interest and Defence of his Majesty's Domain in North America." The lands sought not only lay within the bounds of Connecticut, but they had been bought of the Indians "for valuable consideration" (this was £2,000, New York currency). The tract desired extended seventy miles from north to south, and about two degrees from east to west.

The Penns did not consider the Indian title of much importance, but they were not above persuading some of the chiefs who had signed the grant to disown their act. How easy it was to make the Indian regret his bad bargain may be seen from a message given in 1756 by Conochguissa, an Oneida sachem, to a purchaser who had displeased him:

"Ye promised that ye would keep this fireplace clear of all Filth, and that no snake should come into the Council Room. That man sitting there is a devil, and he stole our lands; he takes our Indians slyly by the Blanket, one at a time, and when they are drunk, puts money into their bosom, and persuades them to sign deeds for our lands upon the Susquehanna, which we will not ratify, nor suffer to be settled by any means."

Protests and reproaches proved vain. In 1762, 200 farmers from Connecticut went to Wyoming Valley. The Indians watched them until, having gathered their first crops, they felt secure. Then they fell upon them, killed ten of them, and drove the others away.

Before the second attempt at colonization made by the Susquehanna Company, the Penns succeeded in buying the Indian title, not only to the disputed lands, but to a much vaster estate. This was done at Fort Stanwix, New York, in 1768. The news did not dismay the Connecticut pioneers, for in the following year they sent 240 men into the Wyoming Valley. Each man received a grant of land, together with money and tools. In return they promised to help hold the disputed territory if Pennsylvania should try to wrest it from them.

They soon discovered that they had agreed to undertake a war; the enemy was already on the ground—men from Pennsylvania who had received land from the Penns, who had built a trading station, and were prepared for difficulty. The Connecticut settlers built Forty Fort, and so felt ready for difficulty.

The first attack was made by the Connecticut men. Laying siege to the blockhouse of the Pennsylvanians, which was located not far from the site of Wilkes-Barre, they anticipated an easy victory. But when they sent three of their men into the blockhouse for a parley, these were arrested by one of the Pennsylvanians, who was sheriff of the county. When the prisoners were carried to Easton, their thirty-seven friends accompanied them. But the court at Easton refused to hold them. More arrests followed. When this form of attack proved vain, a force of 200 men was sent on from Pennsylvania, and the Connecticut men were captured and driven out. The victory was bloodless.

This was only a beginning. Until 1771 the contest continued with varying fortunes. Settlers returned, were driven out once more, came back again, and turned the tables on the Pennsylvanians, only to have the tables turned on them. In the final struggle of the First Pennamite War one man was killed and some were wounded. Connecticut was victorious.

A year later Connecticut made the Wyoming Valley country a part of Litchfield County. The Susquehanna Company instituted a representative form of government. The people sent representatives to the Connecticut legislature. Settlers mounted in numbers, and it looked as if Connecticut had made good her boast that the country would be hers.

Then they became too bold. Some of them settled at Muncy. This was located outside of the territory originally claimed by the Susquehanna Company. Once more the Penns were enraged. Were they to lose all their territory to the invaders?

The Second Pennamite War began with an expedition against Muncy, in 1775. The success of the expedition encouraged Pennsylvania to come to the assistance of the Penns with a force of seven hundred men. The attention of the Continental Congress was attracted, and an appeal was made by it to Pennsylvania. Why should they waste in a private quarrel strength so woefully needed in the impending conflict for the common good?

By this time the wily Penns had disposed of much land in the neighborhood of the disputed country; the settlers were interested in maintaining the power of Pennsylvania, for thus they worked in their own interests. So in the Second Pennamite War conditions were more favorable to Pennsylvania. No longer were the Connecticut men alone in their glory. More than this, the dawn of the Revolution gave promise that soon the Colony would belong to the people, rather than to the Penns and to the king.

But the population of Wyoming had grown until there were about six thousand in the beautiful valley. The forces of Pennsylvania were not strong enough to prevail against them; they were ingloriously defeated.

Soon sorrow came to Wyoming from another source. The Six Nations, allies of Great Britain, thought they would lay waste the Wyoming country. Led by Brant and accompanied by Butler's Tories, they descended on the peaceful valley, which had few defenders at hand, because most of the men were with the army under Washington. Forty Fort was captured, and many of the people were brutally murdered. Scores of the survivors perished miserably in their attempt to escape through the vast swamp called The Shades of Death.

The story of the disaster and of the cruelty of the Indians is so dreadful that one wonders how the Connecticut men and their families could have had courage to return to a valley where the settlers had been driven out six times. Yet it was only a few weeks until farms were again under cultivation, though it was long necessary for the pioneers to defend themselves against marauding Indians.

But Washington, like the settlers, was making up his mind that the depredations of the Indians must cease. The fateful battle of Wyoming had taken place on July 3,

1779. Four weeks later General Sullivan, commissioned to make impossible the continuance of the Indian alliance with the British, set out from Wyoming on a victorious mission. The general and his army were resolved that there was to be no repetition of the Wyoming disaster.

At last came the days of peace when the new States began to take stock of their possessions. Pennsylvania, desiring to secure the country that had been so long in dispute, in 1782 asked Congress to settle the disputed boundary. The commission appointed for this purpose, by agreement of the two States interested, met at Trenton, New Jersey, on November 12 of that year. After six weeks of exhaustive examination of evidence and wearisome argument, the decision was announced:

"We are unanimously of opinion that Connecticut has no right to the lands in controversy.

"We are also unanimously of opinion that the jurisdiction and pre-emption of all the territory lying within the charter of Pennsylvania, and now claimed by the State of Connecticut, do of right belong to the State of Pennsylvania."

But what of the right of the Connecticut settlers to the lands they held by title from that State? And what of the other claimants who had been given title to the same lands by purchase from the Penns? The Connecticut settlers had been real settlers, while most of the Pennsylvania claimants were mere speculators.

Unfortunately the question at issue was not submitted to a tribunal, as the Continental Congress advised. Commissioners were sent to Wyoming by Pennsylvania, and they told the settlers that they might remain for one year on one-half of their land.

Of course the people complained, and Pennsylvania sent into the valley two companies of soldiers to stand back of the decree of the commissioners.

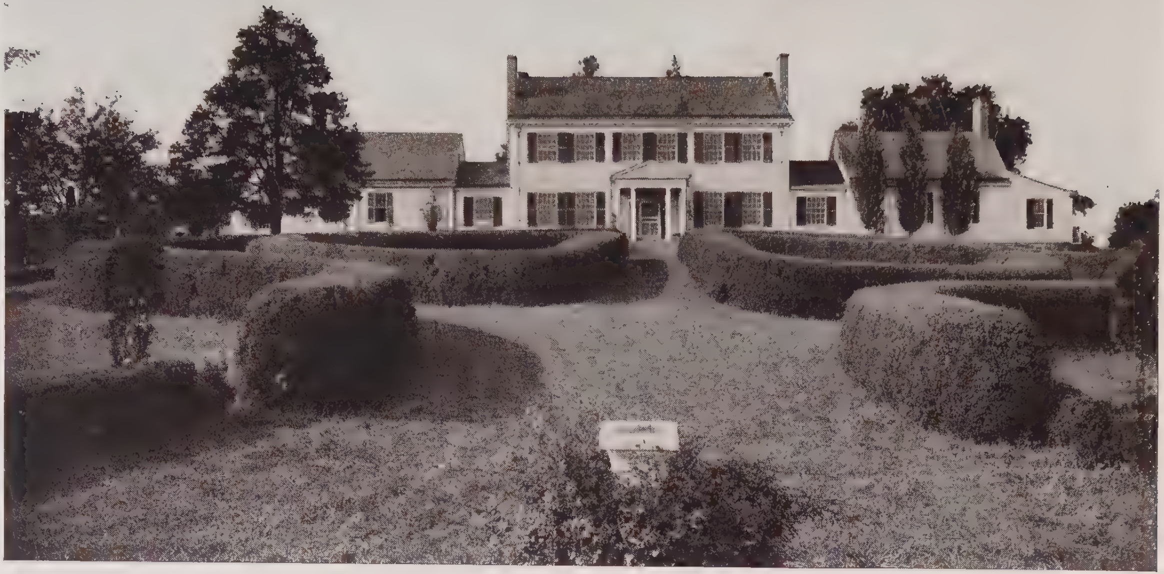
Then followed what is known as the Third Pennamite War. There was much violence and destruction of property. Sorrow came to Wyoming as in the days of Brant's Indians. Victory perched on the banner first of one side, then of the other.

Many Pennsylvanians, ashamed of the part taken in the name of the State, sympathized with the dispossessed men from Connecticut. In other States, too, sympathizers for the oppressed appeared. Why should they be driven to desperation? Was not the way out the organization of the new State of Susquehanna, with Wyoming as Capital, whose citizens should be the men of the once disputed territory? Or would the result be a war between the States?

The Susquehanna Company was in favor of a new State. Their agents might have prevailed with the settlers but for the reappearance of sanity on the part of Pennsylvania's lawmakers. The way of the Wyoming Valley people was made easier. Restrictive measures were repealed, and a way was opened for them to enjoy life as was their right.

The final disposition of the land dispute was not made until 1807, when the legislature achieved a settlement satisfactory to all.

Memorials of the conflict which might so easily have been avoided are many. There is the beautiful valley, where in later days anthracite has brought wealth and destroyed beauty. There are the traditions of the brave defenders of their homes against what they felt was the injustice of land-grabbers, as well as against the bloodthirsty assaults of the Indians. And finally, there is Connecticut's Western Reserve in Ohio, with Cleveland as its



RED HILL, CHARLOTTE COUNTY, VIRGINIA
(WHERE PATRICK HENRY SPENT HIS LAST YEARS)

IN THE BLUE RIDGE

chief city, where lands were reserved by Connecticut equal to those she gave up in Pennsylvania.

But the greatest memorial of the Pennamite Wars is the sturdy, liberty-loving, education-devouring people who have stood stanchly for American principles in the face of the foreign invasion brought upon Wyoming and its neighboring valleys by the eager delvers after the underlying wealth of coal.

CHAPTER XV

SHEARING THE OLD DOMINION

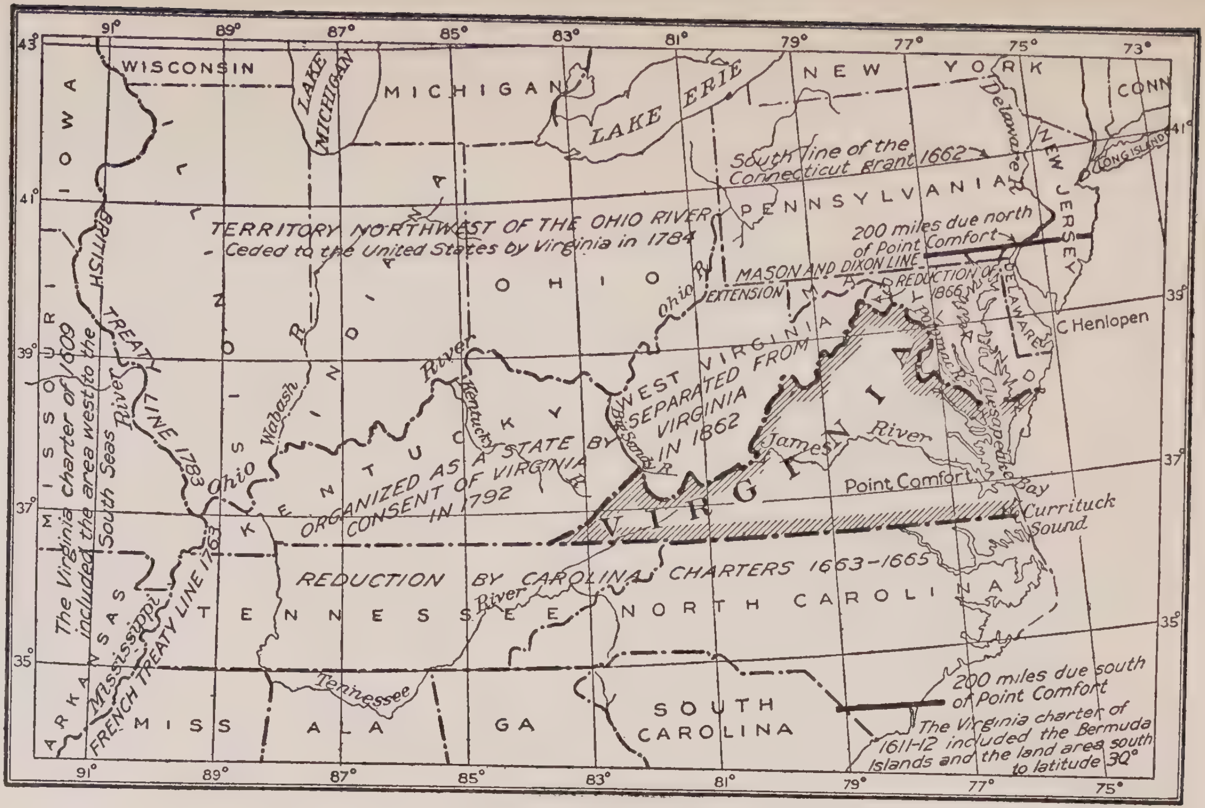
THE story of the decreasing boundaries of Virginia is one of the most striking narratives in the Romance of the Boundaries.

Originally the domain of Virginia was an empire. Sir Walter Raleigh named all of English North America "Virginia." And when, in 1606, the London Company was chartered, it was given rights of trade and settlement between 34° and 40° north latitude.

Three years later the boundaries were fixed with royal definiteness; they extended two hundred miles south of Old Point Comfort, thence two hundred miles to the north. And they were to go "west and northwest to the South Sea."

The first decrease in this immense territory came in 1629, when Charles I granted to Sir Robert Heath all the country between 31° and 36° north latitude. This charter was soon vacated, but in 1663 the territory named was given to the Earl of Clarendon, the Duke of Albemarle, and a number of other friends of Charles II. And in 1665 the boundaries of what was to be known as Carolina were extended from 29° to 36° 30′.

Thomas Jefferson, in his famous *Notes on the State of Virginia,* after describing the boundaries in the east, and to the western line of Pennsylvania, says that they extended "thence by a meridian line to the Ohio." The


WISCONSIN
IOWA
MICHIGAN
LAKE MICHIGAN
LAKE ERIE
NEW YORK
CONN
LONG ISLAND
South line of the Connecticut Grant 1662
Delaware R.
NEW JERSEY
PENNSYLVANIA
200 miles due north of Point Comfort
MASON AND DIXON LINE
EXTENSION
REDUCTION OF 1866
MARYLAND
DELAWARE
C Henlopen
ILLINOIS
INDIANA
OHIO
TERRITORY NORTHWEST OF THE OHIO RIVER
- Ceded to the United States by Virginia in 1784
Ohio R.
WEST VIRGINIA SEPARATED FROM VIRGINIA IN 1862
Potomac R.
Chesapeake Bay
VIRGINIA
James River
Point Comfort
Currituck Sound
KENTUCKY
ORGANIZED AS A STATE BY CONSENT OF VIRGINIA IN 1792
Kentucky R.
Big Sandy R.
Wabash
Ohio
River
MISSOURI
The Virginia charter of 1609 included the area west to the South Seas
BRITISH TREATY LINE 1783
River
Mississippi
FRENCH TREATY LINE 1763
ARKANSAS
TENNESSEE
River
REDUCTION BY CAROLINA CHARTERS 1663-1665
NORTH CAROLINA
SOUTH CAROLINA
MISS
ALA
GA
Tennessee
200 miles due south of Point Comfort
The Virginia charter of 1611-12 included the Bermuda Islands and the land area south to latitude 30°
43°
41°
39°
37°
35°
91°
89°
87°
85°
83°
81°
79°
77°
75°
73°

HISTORICAL DIAGRAM OF VIRGINIA

State was bounded "on the west by the Ohio and Mississippi, to the latitude of 36° 30′ north."

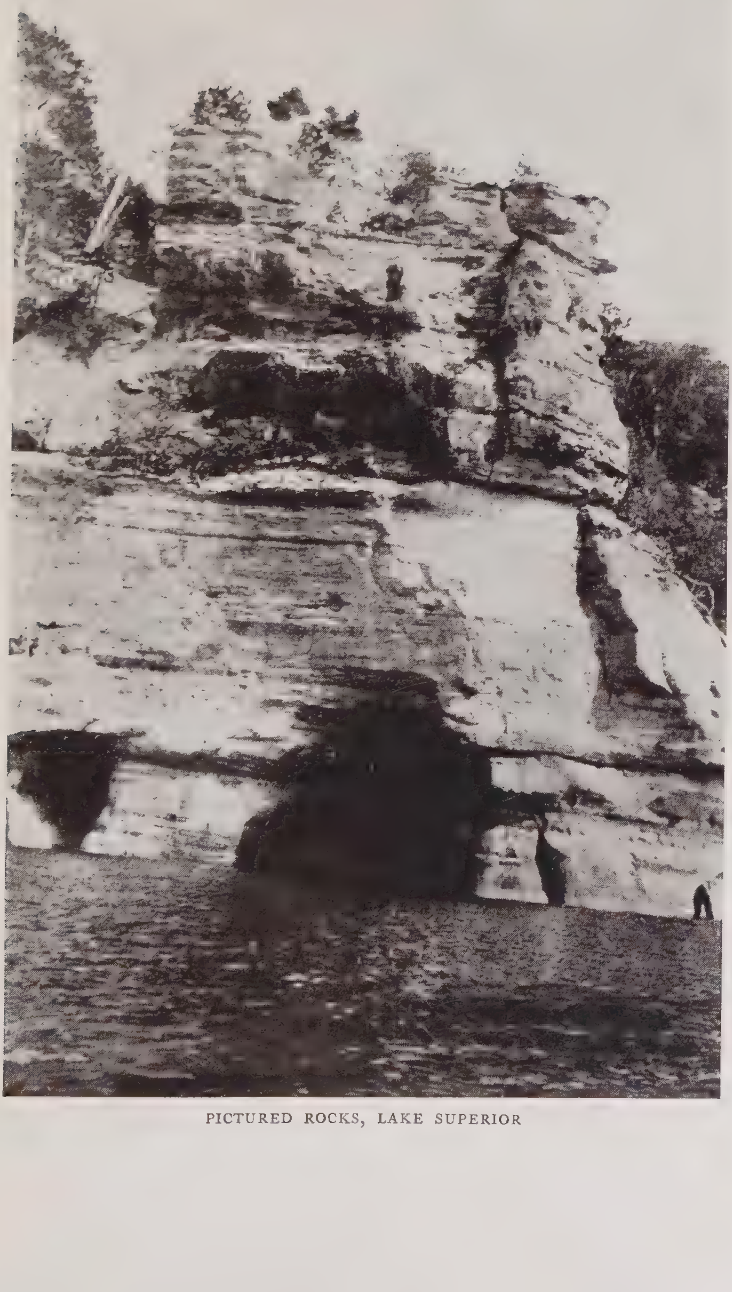
That the princely domain still remaining to Virginia might be pictured, he went on to say that the length "between the Atlantic and the Mississippi" was 758 miles, while the width was 223.3, and the area was 121,525 square miles, "57,034 of them westward of the meridian of the mouth of the Great Kanawhey."

To such a state had the original territory been reduced by the grants of Maryland to Lord Baltimore, of Pennsylvania to William Penn, of Carolina to the Earl of Clarendon; by the organization of the State of Kentucky; by the Treaty of Paris, which fixed on the Mississippi as the western boundary; and by the cession to Congress of all the lands to which Virginia claimed title north of the Ohio River.

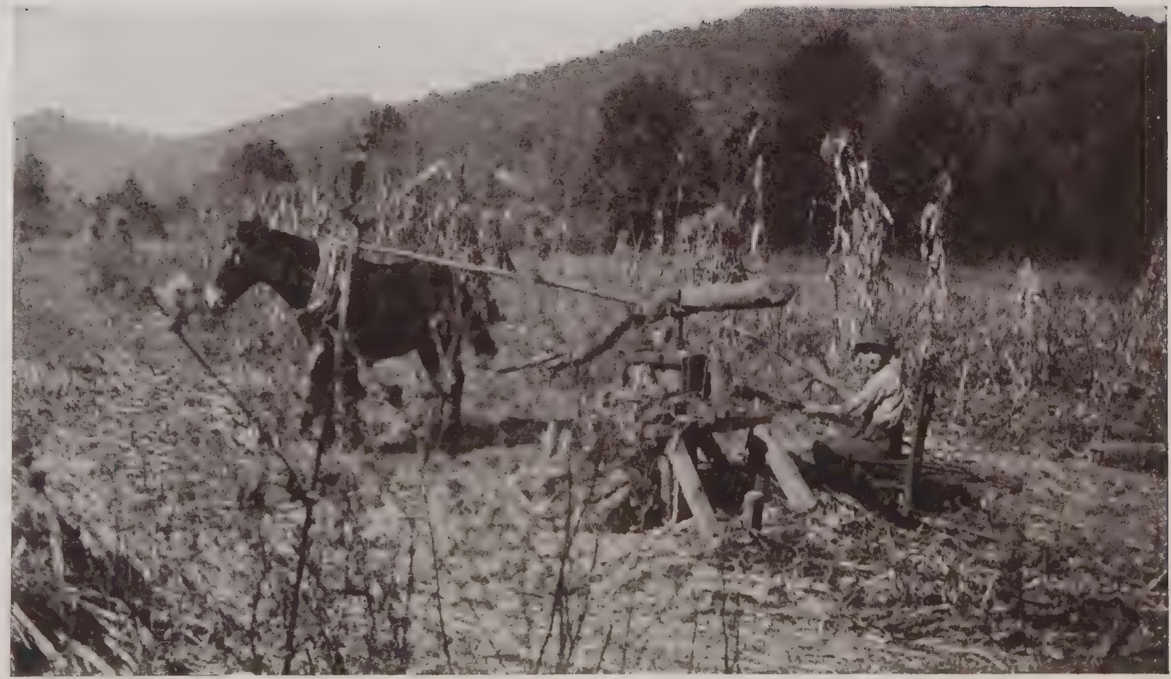
For many years there was difficulty as to the boundary separating Virginia from North Carolina. The charter of 1665 gave to Carolina for her western boundary a line, running from "the north end of Currituck River or inlet upon a strait westerly line to Wyanoak Creek."

Now North Carolina claimed that this Wyanoak Creek was the Nottoway River. Virginia said that it was Wococon Creek. Thus the region in dispute was about fifteen miles wide at the eastern end. In this strip of territory settlers from Virginia, depending on grants from Virginia, made their home. But North Carolina claimed jurisdiction over them, and Virginia protested.

The period of acute disagreement lasted from 1706 to 1711. In 1706 the Virginia House of Burgesses sent to the Governor a message telling of the complaints of residents of Norfolk County "that the Rent Gatherers of North Carolina, in the name of the Proprietors thereof, have for some time past Demanded and made Distrain



PICTURED ROCKS, LAKE SUPERIOR



PRIMITIVE SORGHUM MAKERS IN THE VIRGINIA MOUNTAINS for the Quit Rent of severall Parcells of Land, which they hold by virtue of Patents granted by Sir Edmond Andros." Accordingly, request was made that the "Bounds of these Dominions, next to North Carolina, should be laid out and ascertained as soon as conveniently may be." And the Governor was asked, in the meantime, to take proper steps for the "prevencon of the Like hardshipp."

In reply, the Governor promised to care for the rights of settlers "on ye Lands on ye south side of Blacksnake Swamp & in pamunky neck," and to order the survey.

There is among the Ludwill manuscripts in the Virginia Historical Library "a Journall of the Proceedings of Philip Ludwill and Nathaniel Harrison, Commissioners appointed for seteling ye Limits between Virginia and Carolina. Begun July ye 18th 1710 by P. L."

In finding the boundary it was necessary to take testimony among the Indians and the settlers as to the identity of waters vital to the boundaries. After long and arduous labors the report was sent to the Governor of Virginia:

"We are clearly convinced that the creek called Wicocan is the place called Wyanoke Creek in ye Carolina charter and from ye backwardness of ye Carolina Commissioners to meet us and to bring measures to a conclusion, together with ye frivolous objections they make upon all occasions to retard our Proceedings, and some other observations we have made, which are too serious to insert here, we cannot choose but believe that . . . for private interests or some other reason to themselves best known, . . . have put off the decision for some time."

Several extracts from the quaint *Journal* of the surveyor are most revealing as to the character of the country and the people, to say nothing of the ability of the writer to make little of real hardships.

On May 24, 1710, he wrote:

"We sett out for Spekes and travelled 20 miles to bakers mill, soon after we mist our way being wrong directed, and rid 11 miles almost to a myery swamp, almost impassable, called Curripick, where we mett a man that Directed us soe we came strait back to same road (there being no passage through the Dismall,) 5 miles in very heavy rain to the wido Lascetters where we stayed all night . . . being very hott wee hurt most of our horses backs, this old woman is above 80 years old, and verry nimble and hearty."

Next morning, the *Journal* continued, "Being all dryed again we parted from the wido."

On June 26th the entry told with the nonchalance of a man accustomed to privation of hours of struggle with pioneer roads and no roads.

"Rid 13 miles, most of it bad way, to Locaty Swamp bridge which is 550 yards long and Insted of planks covered only with Cypress Slaps which are maled out for that purpose 5 or 6 feet long and laid in loose (as most of these bridges are) soe that every step a Man is in danger of spoiling his horse and being hed over heels in the mud and water . . . At last the sun drawing very low we found ourselves under a necessity (if we would proceed) to goe to work, some of us Carried 2 old leaky canoes above 3 miles down a creek to the river where the rest carried the horses 3 miles through a terrible myery Pocoson to a very great marsh to the River Side where we were forced to plunge them over head and ears at once into the water from the marsh and swim them over the river about ½ mile broad, to Stephen Burgess, to whose house we gott just after it was dark very well, dirty and tyred with the fatigue of the day, but to Comfort us we soon found that the little house which was well filled was full of the Itch . . . but they tole us that all the neighborhood had it so we made a virtue of necessity and layed here all night.

"It is said of the Mrs. Jones from whose house we came that she is a very civil woman and shows nothing of ruggedness or Immodesty in her Carriage, yet she will carry a gunn in the woods and kill deer, turkeys, &c, shoot down wild cattle, catch and tye hogs, knock down beeves with an ax, and perform the most Manfull Exercises as well as most men in these parts."

The boundary line was not fixed to the satisfaction of both Colonies until 1728, when Colonel William Byrd and others marked it out.

Now comes the dramatic tale of the loss by Virginia of the region beyond the mountains, known from 1862 as West Virginia. To this region Virginia was eager always to maintain her claim. In 1784, when the cession of the lands north of the Ohio was made, it was proposed to make as a condition of the grant the recognition of Virginia's right; the territory between the Ohio River and the Allegheny Mountains should remain inviolably hers. It is recorded that when the question was under discussion, Madison, then a member of Congress, wrote to Jefferson to furnish him the proofs of the right of Virginia to the lands west of the Allegheny; and they never were furnished by Mr. Jefferson; and finally, the cession was made without this guaranty.

Yet this trans-Allegheny section was included within Virginia boundaries, though not to the complete satisfaction of all those who resided there. For nearly a century before the real break came, there were threats of reprisals on Virginia by those who lived west of the mountains for what they felt were slights to them. The charge was made that the East received much more than its fair share of public improvements, while the West paid more than its proportion of taxes. The latter fact was due to the exemption of slaves under twelve years of age, and the low valuation of slaves under twelve, while farm lands—and in the West the wealth was in land—paid a heavy tax.

In 1776 a petition was sent to Congress asking for the organization of the State of Westsylvania. This movement came to nothing.

By 1800 the shifting of population had given to western Virginia a much larger population than in the days when representation in the legislature was fixed. But there was unwillingness in eastern Virginia to rearrange matters. It is stated by historians that "212,036 white persons in Virginia were represented by four senators, while in another part of the state thirteen senators were chosen by a white population of 162,717." In his *Notes on the State of Virginia,* Jefferson said: "The majority of the men in the state who pay and fight for its support are unrepresented in the legislature, the roll of freeholders entitled to vote not including the half of those on the roll of the militia or of the tax gatherers." It was said by *Niles Register* for 1822, that one western county (probably Ohio County), "in regard to population, wealth and physical force, should have had the weight of ten eastern counties, some of which had scarcely two hundred free white males in them above the age of twenty-six."

Complaints like this led to a Constitutional Convention in 1829. But the result was to make still more glaring the injustice which, so the residents of western Virginia felt, they were bearing; it was felt that "the Tidewater planters had again succeeded in frustrating all attempts to make Virginia a democratic State in a democratic Union."

Irritation increased during the thirty years following this convention until the outbreak of the Civil War. And when, in 1861, the vote to secede from the Union was carried in the legislature, and submitted to the people, it was felt that the time had come for action. Most of the legislators from western Virginia voted against the proposal to secede, and when they were outvoted they returned home. There they found that many who had opposed separation from the Old Dominion had changed their attitude; they felt, with Waitman T. Willey, late United States Senator:

"I am for Virginia, as she is and was; as our fathers created her . . . one and indivisible. I have deprecated recent manifestations for her dismemberment. Let her be integral forever. But if we are to be dragged into secession or dissension; become a mere outside appendage of a Southern Confederacy, defenseless and exposed as we must be by our geographical position . . . our oppression may become intolerable, and I for one will be ready to accept the only alternative."

The alternative was presented to a convention which met in Wheeling, on May 13, 1861. Of the 425 delegates present, some were in favor of the immediate formation of a new State. Others declared that it would not be lawful at that time to take such a step, since Virginia was still in the Union, and would be until her people voted to ratify the proposal to secede.

This objection could no longer be made when the second Wheeling convention was held. And at that meeting it was decided that, "since the Secession Convention had been called without the consent of the people, all its acts were void," and all who assented to it had vacated their offices.

The logical thing, then, seemed to be the choice of new officers to take the place of those who had vacated theirs.

This was done. State officers were chosen, and arrangements were made for a session of the legislature, and for the choice of United States Senators and members of the House of Representatives.

Then came the question of a new State. Should it be organized? The matter was submitted to the people of the territory affected, and the result was 18,489 votes for the proposition, and but 781 votes against.

The first proposition was to call the new State Kanawha, but West Virginia was the name finally chosen.

Congress considered the application favorably, though many members felt sure that the act was illegal. Thaddeus Stevens of Pennsylvania voiced their sentiments when he said:

"I say then that we may admit West Virginia as a new State, not by virtue of any provision of the Constitution, but under an absolute power which the laws of war give us. I shall vote for this bill upon that theory, and upon that alone, for I will not stultify myself by supposing that we have any warrant in the Constitution for the proceeding."

A committee for West Virginia urged the President to take favorable action on the bill. He asked them the reason for their request. One of their number was the same Senator Waitman T. Willey who has been quoted already. Long afterward he wrote of the reply:

"We assured him that the desire was not a sudden, recent impulse, excited by the rebellion then raging, but was an inveterate sentiment of half a century's growth among the people of the State, having its origin in geographical, social, economical, and political antagonism which could never be reconciled, at least while slavery existed; that the great majority of the slaves were held in the eastern section of the State, whilst there were very few slaves in the trans-Allegheny section out of which the new State was to be taken; that this condition must necessarily remain so, because the character, soil and staple productions of the latter were not adapted to slave labor, and, especially, because its interjection between the State of Ohio on the one side, and the State of Pennsylvania on the other side of it, afforded such ready and convenient facilities for escape that few slaves would ever be brought here; that thus the inevitable conflict, which was then deluging the nation with blood, would be perpetuated in Virginia so long as slavery continued; that, under the apprehension that if ever West Virginia obtained a numerical majority in the legislature, their 'peculiar institution' would be endangered, the eastern slaveocracy had, by the most arbitrary and despotic proceedings persistently withheld from our western people their rightful and equal participation in governmental affairs; that the public revenues had been mainly expended in the eastern section of the State; that the development of the rich natural resources of wealth in our section of country had been designedly hindered and delayed lest its increase in wealth and population should become so overwhelming that our claim to a just and equal share of the political power of the State could no longer be resisted. . . ."

The recital was satisfactory. President Lincoln signed the bill. His reasons were stated at length. He closed by saying:

"It is said that the admission of West Virginia is secession, and tolerated only because it is our secession. Well, if we call it by that name, there is still difference enough between secession against the Constitution and secession in favor of the Constitution. I believe the admission of West Virginia into the Union is expedient."

After a new Constitutional Convention which made a change advised by Congress, the State was admitted by proclamation of April 20, 1863, effective sixty days later.

By this time Governor Pierpoint, the executive of the loyal government of Virginia, moved to Alexandria, and throughout the war he exercised jurisdiction over the counties of the State which were within the Federal lines. And the new State of West Virginia proceeded to adopt measures that enabled her to give real help to the Union.

Not until 1915 was the last matter decided which was connected with this final subtraction of Virginia territory. In that year the Supreme Court of the United States gave to Virginia judgment for a portion of the old Virginia debt. Many had opposed much of this because so little of it had been caused by expenditures made in behalf of the counties incorporated in the new State. But the decision of the court called for the payment by West Virginia of more than twenty million dollars.

Of other curious and interesting matters connected with the Virginia boundary lines one more is worthy of mention in this chapter.

When Virginia transferred the territory north of the Ohio to the United States, it was declared that the boundary of Virginia should be the north bank of the Ohio River. In 1820 Chief-Justice John Marshall of the United States Supreme Court decided in favor of the contention of Virginia, as against the claim of Ohio that its jurisdiction extended to the middle of the stream. The characteristic language of the decision is worthy of special notice:

"When a great river is the boundary line between two nations or States, if the original property is in neither, and there be no convention respecting it, each holds to the middle of the stream. But when, as in this case, one State is the original proprietor, and grants the boundary on one

GENOA, WISCONSIN, ON THE MISSISSIPPI RIVER

KEEPING THE CHANNEL OPEN BETWEEN CANADA AND MICHIGAN

A STEAMER ROUNDING THE BREAKWATER AT MARQUETTE, MICHIGAN side only, it retains the river within its own domain, and the newly created State extends to the river only. The river, however, is the boundary."

This decision was not considered of great moment until 1848, when a number of men were captured by Virginia officers on the north bank of the Ohio River, near Marietta, in the act of assisting runaway slaves to escape. They were tried for the offense in the Virginia courts, and were found guilty.

When the case was appealed to the Virginia Supreme Court, the attorney for the defense, who was appointed for the purpose by the Governor of Ohio, made an ingenious argument in behalf of his clients.

Virginia, he declared, never had a valid claim to the lands northwest of the Ohio River. Therefore the famous Marshall decision was based on a historical error. The fact was, he declared, that the grant in 1609 of Virginia to "The Treasurer and Company of Adventurers and Planters of the City of London" was dissolved in 1724 by the Court of the King's Bench; that the Colony was thenceforth a Crown possession; that its bounds went to the Ohio only; and that title to the country northwest of the Ohio came to the United States by right of conquest.

But in May, 1890, the Supreme Court of the United States reaffirmed the decision of Chief-Justice Marshall. The occasion was a dispute between Indiana and Kentucky as to Green River Island in the Ohio River, near Evansville. Since Kentucky's boundary line extended to low-water mark on the north side of the stream, jurisdiction over the island belonged to Kentucky.

One result of the decision was the plea of ex-Governor Cox of Ohio that, since so much was involved in the decision, not only for Indiana and Kentucky, but for Ohio, Illinois, and West Virginia as well, it would be wise for

Ohio to take steps to question the decision before its acceptance by the report of the commission appointed to run the boundary line in accordance with the court's order.

The letter attracted attention because of ex-Governor Cox's ingenious statement of complications that might arise as a result of the decision. He said:

"The reasons for making the median line of a stream the boundary between private properties are infinitely stronger when it comes to nations and States. Cincinnati has six or eight miles of river front, on which she has built levees and public buildings, and our merchants and manufacturers have made docks, coal chutes, etc. If the ancient meandered line of the low-water mark be rigidly renewed, the whole commercial front of this great city may possibly be held to be cut off from Ohio by some narrow strip sufficient to fence us in.

"If Kentucky prudently does not urge such a claim, we may still hold our territory, rather by sufferance than by title of a better kind. Railways have been built up and down the river on the Ohio shore. It can hardly be possible, in the nature of constructions of such a sort, that they have not trenched upon the water line. Shall a *quo warranto* in Kentucky forfeit their Ohio charters and rights of way? Kentucky companies plant bridge piers so close to Ohio that the value of adjacent property is destroyed. Must the Kentucky jury on the opposite shore have sole jurisdiction to assess damages?

"Suppose the war of secession had resulted in the independence of the South, and the Ohio had been the boundary, as the South claimed. The idea of a boundary on the north shore would have made peace forever impossible. The river is too important a highway of commerce to permit any separation of jurisdiction except in the middle of the stream. It has always been admitted that such also is the general rule of law. But an exceptional interpretation is claimed exactly where the reasons for the rule are most overwhelming. There could have been no good reason for Virginia and Kentucky controlling the whole river, and it cannot be supposed that the cession of Virginia saved such jurisdiction for bad reasons. I believe the publicists of the world would be shocked to see the claim of Virginia recognized as a rule of law."

But in spite of all arguments against it, the decision still stands that low-water mark on the north bank of the Ohio River is the southern boundary of States above the stream. Virginia's ancient claim affects the law to-day.

CHAPTER XVI

THE MIMIC WAR BETWEEN MICHIGAN AND OHIO

"Come, all ye Michiganians, and lend a hearing ear;
Remember, for Toledo we once took up sword and spear,
And now, to give that struggle o'er and trade away the land,
I think it's not becoming of valiant-hearted men.

"In eighteen hundred thirty-five there was a dreadful strife
Between Ohio and this State; they talked of taking life;
Ohio claimed Toledo, and so did Michigan;
They both declared they'd have it, with its adjoining land."

"The Toledo Song" contained many stanzas, but those quoted above were typical. They vindicated the earnestness with which the people on both sides of the conflict took part in it during its progress, and give a hint of the humorous backward glances they gave to it.

Ohio and Michigan have been good friends and neighbors for nearly a century, but there was a time when feeling between them was tense, and all because of a boundary line. Michigan wanted and believed she had a right to a line that would have included the mouth of the Maumee River, and so, of course, did Ohio.

The dispute grew out of plans made for the partition and government of the old Northwest as far back as 1780, when it was resolved "that the unappropriated lands that may be ceded or relinquished to the United States by any particular State . . . shall be settled and formed into distinct republican States, which shall become members of the

Federal Union." The States so formed were to be small—that is, when compared with the princely realms later given to States; but they were to be as large as the average State of the original thirteen—from 100 to 150 miles square.

It is evident that at the time the members of Congress did not realize the great extent of territory which would belong to the new country.

Thomas Jefferson was chairman of a committee which, in 1784, made the laughable recommendation of names to be given to States to be carved out of the new territory north of the Ohio: Sylvania, Michigania, Assenisipia, Illinoisa, Polypotamia, Saratoga, Washington, Metropotamia, and Cherronesus. Fortunately the names were not approved!

When James Monroe, after a trip to the West, wrote to Jefferson about his observations, it was apparent that the States should be larger. He said that a great part of the country was "miserably poor, especially near Lakes Michigan and Erie"; that farther west were extensive plains, "which have not had, from appearance and will not have, a single bush on them for ages." Since these districts could not sustain many people, it would be necessary to have a larger territory for each State if the new States were to have a sufficient number of inhabitants to entitle them to membership in the Confederacy.

In 1787 the Northwest Territory was erected, with a provision that, when it was divided into States, these should have certain specified boundaries. Out of this the Territory of Ohio was carved in 1802, with much the same territory as now. It is of interest to note that Washington proposed almost these boundaries for Ohio, even when others were talking of small States, except that it lacked a narrow strip of land from the western boundary to Lake Erie. This strip was not given to Ohio because of the provision in the Act of 1787 defining the bounds of the Northwest Territory, which declared that a line should be drawn from the southern end of Lake Michigan to Lake Erie, and that this line should be the northern boundary of States erected to the south of it. Due to an error in early maps, which made the southern line of Lake Michigan farther north than it really is, this boundary would have deprived Ohio of some valuable territory.

But Ohio did not propose to lose that territory. Some of her citizens had heard a hunter say that the line would be much farther south than had been thought. So, when the Constitutional Convention was held in 1802, a provision was placed in the new State paper which provided that, if the line from Lake Michigan should not intersect Lake Erie, or should intersect it east of the mouth of the Maumee River, "then, with the consent of Congress, the boundary should be a straight line running from the southerly extreme of the Lake to the most northerly cape of Maumee Bay."

It was this provision in the Constitution that led to all the trouble between Ohio and Michigan. Because Congress, in approving the constitution of Ohio in 1803, said nothing of the proviso, the new State felt that it was a part of her charter.

At first comparatively little importance was attached to the bit of territory in dispute; it contained less than five hundred square miles and was but seven or eight miles in width. There were few inhabitants but Indians. But later on settlers began to take up lands. Moreover, the feverish days of canal-building added to the value of the territory, in the eyes of many people. The canal from Cincinnati, when completed as far as Piqua, was halted for a time, but at length there were those who proposed that it be completed to Swan Creek, as Toledo was then known (later names preceding Toledo were Port Lawrence and Vistula). The people of this infant port wanted the canal, and they wanted to be in Ohio, so they asked Governor Lucas to extend the laws of Ohio over them.

Accordingly, early in 1833, Governor Lucas called a special session of the legislature, and asked for an appropriation of $300,000 for the expenses of a commission to resurvey the line. The commission was to meet at Perrysburg, ten miles up the Maumee from Toledo.

Now Michigan, which had been organized as a Territory in 1818, had been exercising authority over the strip which Ohio claimed, in accordance with the survey made in that year. So the action of the Ohio legislature was taken as an affront not to be borne, and the legislature provided severe penalties for those foolish enough to accept or exercise public office within the strip, except by appointment of the United States or the Territory.

In the meantime Michigan had been acting. Having learned that a meeting of the people of the disputed territory was to be held in the spring of 1835, a meeting was held in Monroe, Michigan, to consider the threat. At this gathering it was

"Resolved—that the southern boundary of our Territory, over which it has to this day exercised peaceable jurisdiction, is clearly within our limits as defined by the Ordinance of 1787."

The meeting further pledged the participants to respect the rights of the State. Two commissioners were appointed to attend the Ohio meeting and to expostulate "in an amiable and friendly manner with our neighbor."

On March 3, 1835, the committee reported that the greater part of the sentiment for transferring the disputed territory to Ohio came from Toledo, which had many people at the meeting. They had "staked their prosperity and all that they hold dear" upon the hope of having the disputed ground set off to Ohio. Further, it was reported that the speeches delivered, and the votes by which the resolutions were carried, were all prepared at Toledo before the meeting.

The purpose of Michigan to assert her rights to the limit was shown by a memorial sent to Congress. In this the statement was made that, until the question at issue was decided by the Supreme Court, Michigan would resist, "let the attempt be made by whom it may, all efforts to rob her of her soil, and trample upon her rights."

In a message to General Brown, commander of the Michigan militia, Governor Mason said, on March 15, 1835: "Keep Ohio in the wrong. . . . I need not add that I expect you to receive His Excellency Governor Lucas as a citizen of Ohio violating the laws of the territory."

From both sides came exceedingly bloodthirsty proclamations. Governor Lucas boasted of Ohio's "millions of freemen," and said that he would extend the jurisdiction of Ohio over the disputed territory if he had to "wade knee deep in blood."

And General Brown is reputed to have said to the people of Michigan: "Before Ohio can extend her jurisdiction she will have to march over the dead bodies of that portion of her citizens who have heretofore been under the jurisdiction of Michigan."

The Governor of Michigan was just as bloodthirsty in his instructions to his commander: "Arrest Ohio's commission the moment they stick the first stake in the soil of Michigan. . . . Fire upon the first military officer or man who persists in crossing the boundary line as claimed by Michigan, with any hostile intention. . . ."

The troops of Ohio were first on the ground. On

March 31, 1835, Governor Lucas, accompanied by his staff and the boundary commissioners, paused at Perrysburg, on the way to mark the line. General John Bell joined him, with about six hundred armed men.

An amusing incident of the enlistment of a company at Perrysburg was told. The plan adopted to attract attention was to have the drummer parade up and down the main street of the town. This man was called "Big Odle." One who was an eye witness wrote: "He was so large, that while beating merely a common-sized drum, the drum appeared, in comparison with him, no greater than a toy drum would appear in the hands of an ordinary-sized man. He wore a two-story white felt hat, with a narrow brim; but by long use it had become softened and the crown bulged up so that it was really a two-story and an attic affair. He bore a strip of paper, with the words, 'Recruiting for the War' in huge letters."

The noise of the drum irritated the court, which was meeting that day. The judge ordered the sheriff to stop the noise. But the drummer said he was acting under military orders. Angry, the judge ordered the man's arrest. Thereupon Captain Scott, the drummer's superior, explained to the court the necessity of beating the drum. His words were of no avail; the sheriff was ordered to take Captain Scott "and his music box" to jail. And the prosecuting attorney was told to make ready to bring action against them for contempt of court. When arrested, the captain threatened to declare martial law.

The result was not only that the judge failed to interfere further, but also that the publicity given made more drumming unnecessary; the rolls of the company were speedily filled.

A survivor of the Michigan militia gave, in 1885, in the Detroit *Free Press,* interesting reminiscences of his brief service. He said it was a time of great excitement in Michigan. "The whole Toledo war seems very funny to look back at, but most of us went down expecting to risk our lives. We paraded and drilled in the Campus Martius in Detroit, a week after we were called out. Some of us were armed with guns, but the great majority carried only broom handles. Crowds turned out to see us."

Perhaps eight hundred strong, the militia marched on Toledo. The first night was spent near Monroe, Michigan, then one of the largest towns in the Northwest; it was nearly as large as Detroit, and ten times the size of Chicago.

Toledo yielded to Michigan's force without a blow. Governor Mason, who had accompanied Michigan's little army, was about to go to Perrysburg to meet Ohio's troops, when he was deterred by the arrival of a communication from President Jackson, who asked that all preparations for war should cease, while the new line, as provided for by the Ohio legislature, was run. It was his further request that, until the close of the next session of Congress, the people in the disputed territory should give their allegiance as they chose individually.

Ohio professed to be ready to obey, but Michigan hesitated. Her people did not like the attitude of a President who, while he agreed that Michigan was right, technically, had the opinion that she ought to be polite and respectful to Ohio as a full-grown sister. Michigan felt that the fact she was not of age should not deprive her of the privilege of protecting her rights.

Further days of crisis came when, in June, the legislature of Ohio, disregarding the expressed wish of the President, proceeded to erect the county of Lucas, with Toledo as county seat. The attempt to hold court in Toledo led to trouble. Once more the Governor of Michigan ordered out the troops, which succeeded in marching into Toledo without opposition.

When Ohio attempted to run the line, her surveyors were interfered with, and some of them were carried to jail at Tecumseh.

President Jackson's action in September, in removing Stephens T. Mason from his office as Acting Governor of Michigan Territory, on the ground of over-zeal, and in appointing John S. Harris of Virginia, in his place, did not prove effective. The people of Michigan, who already had chosen Mason as the first Governor of the new State they hoped to have, treated Harris as a joke. At a public meeting in Detroit he was given an intimation "that the people would not be displeased to see him relinquish the duties of his office and return to the land of his nativity." Obediently and conveniently he disappeared very soon.

In the meantime the Attorney-General had been asked for an opinion as to Ohio's contention. He said that Congress, by failing to take action on the provision as to the boundary which Ohio had made when admitted to the Union, had practically given assent to it. This in spite of the fact that it was not in accordance with the basic Act of 1787, which Michigan Territory said should be a definition of the boundaries of future States to be carved out of the Northwest Territory.

Yet the Secretary of State wrote: "The President has believed from the beginning of the struggle that, without further legislation on the part of Congress, the country in dispute is to be conceded as forming legally a part of the Territory of Michigan, and that the ordinary and usual jurisdiction over it should be exercised by Michigan."

But political expediency called for a settlement that was hardly in accordance with this judgment of President Jackson's. Ohio must be placated at all costs, for her vote was needed where Jackson's interests lay. Michigan, being a territory, had no vote.

Therefore the proposition was made to give the disputed territory to Ohio, and to offer to Michigan, in lieu of the territory yielded by her, the Upper Peninsula of Michigan.

Now that peninsula has gone begging during all the years of the division and subdivision of the Northwest Territory. At one time it was divided into three parts, and each part was assigned to a separate jurisdiction.

Again it was attached to Indiana Territory, with all the waste of Lake Michigan stretching between the main section of the territory and its northern appendage.

Of course there was talk of great wealth of copper and iron in this Upper Peninsula, but this was only talk. The probability of development seemed far away. And the fertile strip in dispute was close, its value was seen, and the young metropolis was as attractive to Michigan as it was to Indiana.

Congress held the whip hand, and that body proposed to use it. Michigan wished to become a sovereign State, did she? Very well! First let her agree to yield the southern strip, and accept the northern peninsula. Then all would be well.

Now Michigan counted herself already a State, in fact, if not in name. In 1835 a constitution had been adopted, officers had been elected, and all the arrangements concluded. This state of affairs continued for a year. Stephens T. Mason, who, it will be remembered, had been suspended as Governor by action of President Jackson, had been elected to that office by the people, and he exercised the duties and enjoyed the privileges of his office.

Senators and Representatives, too, had been chosen, and these wished to go to Washington to take office.

When the legislature met in July, 1836, the Governor sent to that body a message in which he spoke with feeling of the conditional admission of the State. With journalistic enterprise worthy of a later day the Detroit *Free Press* gave this to the people in a "Noon Extra." From the columns of the paper a few paragraphs may well be quoted.

Speaking of the people, the Governor said:

"They are to choose between submitting to an encroachment upon their compact rights, by a system of partial legislation, having for its object the aggrandizement of one portion of the Union at the expense of another . . . carrying into full effect, at the same time, all the rights and privileges of a sovereign and independent State, though excluded from the bonds of the Confederacy.

"Our duty is to pass the necessary law required for sending this to our fellow citizens for their decision:

"The resistance of the Revolution was not a resistance of sanguinary tyranny alone, but a contest for undeniable rights, trampled upon by British Parliament claiming to legislate for the people in all cases whatsoever. It was a revolution for principles; and when we recollect the succession of injuries which have been heaped upon the people of Michigan; when we remember the respectful and pacific resistance with which we have alone so far opposed them; when we see that our complaints have not been heard, have been answered with repeated and accumulated injury, it would seem to warn us, that the liberties of no people are safe, unless the government is sometimes taught by power the spirit of resistance."

The next event of moment was the Convention of Delegates chosen by the State of Michigan, to consider the justice of yielding to the demands of Congress. This was held at Ann Arbor on September 26, 1836. After bitter debate, the body not only refused to approve the suggestion of Congress, but it adopted a paper to the people of the State. This spoke of the claim of Ohio as being dependent upon the story of an Indian trapper, and a map of by-gone days. But no arguments availed anything in the face of "Ohio's increase in population, resource, and political influence. As she had been the darling favorite of Congress, and had grown under their fostering care to gigantic Strength and colossean Magnitude," it seemed useless to do anything but refuse to approve the shameless bargain suggested to her.

Thus the politicians were checked. But not checkmated! For in December a group of individuals, acting, as they said, "in the name of the people," called a second convention, to be held at Ann Arbor, on the 14th of that month. The body, it was hoped, would give the necessary sanction to the proposal on which Statehood depended.

The proceedings of the "frost-bitten convention," as it was called in the Territory, were not so bitter as those of its predecessor. In transmitting to the President of the United States the records adopted, the President of the convention said the members regretted the necessity of approving the request of Congress. "They bow to the power, but question the right. They yield to the legislature of the national government that submission which becomes them as citizens of the United States . . . but which never could have been extorted from them by the menaces of a State grasping at an extension of dominion, but forgetful of right, and property, by a political position, at a time when Michigan had no voice in the counsels of the nation."

One Michigan historian says that the convention had "no more authority than the crew of a Detroit schooner, or a lumberman's camp, in the valley of the Grand River." But, on January 26, 1837, both houses of Congress accepted the convention as meeting the requirements of the Act admitting Michigan. So the Territory became a State.

John Quincy Adams was in hearty sympathy with Michigan in the entire dispute. "Never, in the course of my life," he said, "have I known a controversy of which all the right was so clearly on one side, and all the power so overwhelmingly on the other; never a case where the temptation was so intense to take the strongest side, and the duty of taking the weakest so thankless."

What would have been the future of Toledo and Detroit if the outcome had been otherwise? Would Toledo have been the metropolis of Michigan? Would railroads and lake routes have converged on the Maumee River, instead of on the Detroit River? This is more than an idle question. But it cannot be answered.

While the bitterness of early years has long been forgotten, it is of interest to note that thirty years after "the Toledo War," in 1868—when, of course, participants were still living—bad feeling cropped out whenever the story was told.

That year a pamphlet was printed to tell the events. The prefatory word quoted letters from a Michigan friend of the author, together with his reply. The first letter told of the proposal made by the people of the Lake Superior district that the legislature re-cede to the United States "so much of the Upper Peninsula as was annexed by an Act of Congress," in exchange for that given up on the southern border. The Upper Peninsula wished for a territorial government, in the hope that Congress would give national aid in developing the vast wealth of the region.

After referring to the request, the question was asked by the Michigan friend of the Ohio correspondent:

"If Michigan generously acceded to the prayer of the petitioner, will Ohio be equally generous and return to us the disputed territory made classic in our history by The Toledo War—the battleground of pioneer chivalry?"

The reply was humorous but quite definite:

"The valorous deeds performed by the soldiers of Lenawee and Monroe counties are well remembered, and duly appreciated by the old soldiers of Wood and Lucas counties. The warriors on both sides performed their parts so well that it would be almost criminal in the histories of their exploits to indulge in partiality.

"If Michigan should ever re-cede to the United States the valuable gift fastened on her as the reward for the patriotism and zeal in defending the integrity of her soil, . . . she will exhibit a generosity equalled only by the chivalry that merited the gift.

"But while Ohio would applaud the deed, she is too regardful of the honor of Michigan to lessen her merit by encouraging the performance of so generous an act with the interested expectation of the restoration of the disputed territory."

The final act in the great controversy came forty-five years after the letters from which quotations have been made were exchanged. In 1913 the Governors of both States spoke and shook hands at the time of the planting of the boundary posts that marked the eastern end of the line accepted at the close of the dispute.

By that time the Toledo War Song was all but forgotten. But the song is so rich that this story of the bloodless conflict must be concluded with two additional stanzas which tell of the fear lest the citizens of the territory should not be in the Union in season to share in the five per cent of the proceeds of the public lands:

"Mark the republic spirit that they have now displayed;
At first they'd have Toledo, or lose their lives in aid.
But now the song they sing is: 'Trade away that land
For that poor, frozen country beyond Lake Michigan.'

"They say that we must surely trade, or we shall be cast out;
That we shall lose our five per cent as sure as we do not;
That we can't be admitted into the bold Union,
But that we must, like the fifth calf, stand back and just look on."

CHAPTER XVII

WHEN WISCONSIN MADE THREATS TO CONGRESS

WHEN Wisconsin pioneers talked of coming into the union, they had very large ideas as to the territory that should be included within her bounds. The Upper Peninsula of Michigan should have been hers; the country west to the Mississippi and north to the Canadian line was much desired; and finally she felt that she had more right to the northern sixty miles of Illinois than had that State.

These extreme claims were based on the famous Ordinance of 1782, which indicated approximate boundaries for the States to be erected out of the Northwest Territory.

For a time it seemed as if the Upper Peninsula was not to belong to Michigan. In 1828, when it was proposed to erect the Territory of Chippewau, this peninsula was to be included within it. In 1830 the name of the proposed Territory was changed to Huron, but the boundaries were to be much the same on the northwest. Two years later the name was again changed, this time to the Territory of Wiskonsin. And in 1834 the legislative council of Michigan actually asked Congress, in fixing the bounds of Wisconsin, to give to her all the territory lying west of a line drawn through the middle of Lake Michigan to its northern extremity, and thence north to the northern boundary line of the United States. This was in accordance with a message from Governor Cass of

Michigan to the territorial council, in 1831, in which he declared that the faith of the United States was pledged to such a boundary for Wisconsin. "To the country west of that line we have no claim," he said.[1]

Then came the meeting of the Judiciary Committee of the United States Senate in 1834, when some proposed a line far to the west, while Delegate Lyon of Michigan protested against leaving to Michigan a territory which she did not want. He said:

"For a good part of the year nature had separated the Upper and Lower Peninsulas by impassable barriers, and there could never be any identity of interest or community of feeling between them."

But Wisconsin wanted the peninsula Michigan was eager to give up. Her desire was not due to any special foresight as to the wealth of that territory; she was merely eager to retain country which she thought was hers by right.

But the dispute with Ohio as to the southern boundary of Michigan led Congress, in 1836, to insist that the Upper Peninsula be taken by Michigan as compensation for the strip to be yielded to Ohio.

Thus matters rested until 1846, when Wisconsin's delegate in Congress introduced a bill to enable his constituents to form a constitution and a State government. In connection with this was the request for "the ancient boundaries." But when the enabling Act passed, the boundaries were presented much as they are to-day.

In October, 1846, a constitutional convention was opened in Madison, where the question of the boundaries proposed by Congress led to much bitterness and to impossible threats against the United States.

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[1] For the complete understanding of the boundary situation in Wisconsin, it will be necessary to repeat some of the facts in the story of Michigan and Ohio.

The story of the proceedings is rich reading. The boundary controversy was not the only bone of contention, but this gave sufficient variety to the proceedings to make the sessions memorable. There was much talk of "imposition on territory," and of "razed boundaries." There was a proposal to appeal the whole question to the Supreme Court of the United States.

Some of those present lost patience with the attitude of a few of the politicians. A writer for the Racine *Advocate* told of debates that arrived nowhere:

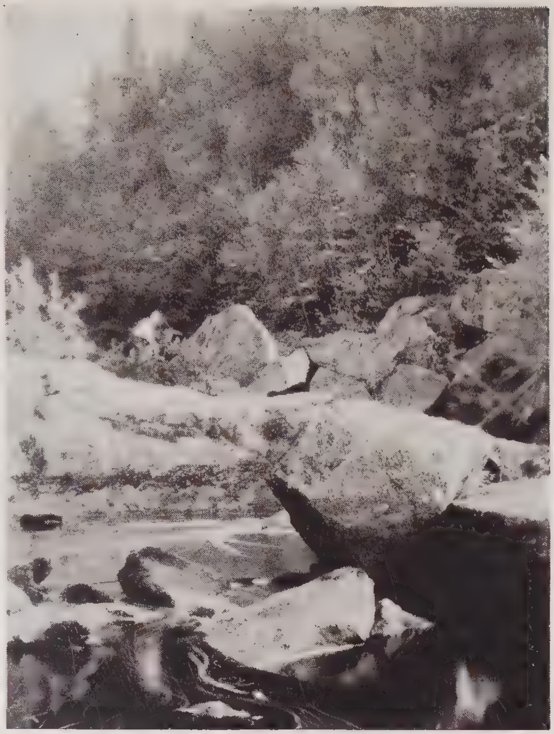
"Some three or four hours were consumed . . . in proposing and voting on amendments of different kinds, till it was at last referred to the Committee of the Whole, to go another round of cat-hauling. Really this boundary question is about as troublesome as Mr. Polk's 54° 40′—and likely to end in about the same way."

Again the writer of the racy letters to the Racine paper told of "another somerset on the boundary question," and of its being "cuffed about all the session." He spoke once of "seven parties in the convention, on the question." Then he added, "Each has been twice in the majority, but really this continual backing and pulling is mere boys' play, and the action of the convention upon it is getting beneath contempt."

At length came the day when the proceedings were at their height for absurdity. It was proposed to vote:

"Wisconsin assents to the boundaries offered by Congress, *Provided,* That she does so for the purpose of obtaining admission, and asserts her right to all that has been claimed under the Ordinance of 1787."

Then the proposal that, if Congress did not assent to the provision, it should go for naught, was carried. But when it was pointed out that the resolution as changed really read, "We assent to the boundary, provided we



BRUNSWEILER RIVER, NEAR THE NORTHERN BORDER OF WISCONSIN

ON A NORTHERN WISCONSIN RIVER

ON THE SHORE OF LAKE SUPERIOR

won't, provided, if Congress insists upon it, we will," the convention wished to strike out the absurd section. But there were objectors, and this was not done until a later day.

At last the convention adjourned. But the long-continued debates resulted in sending to Congress a memorial and an address which led Reuben Gold Thwaites to say:

"Probably no State ever adopted a more belligerent tone towards Congress than did Wisconsin in these singular documents, which read more like emanations from a South Carolina legislature than the sober judgment of a community which was among the foremost, in later days, in putting down by force of arms, the rebellion which was the fruit of the States Rights doctrine carried to the logical sequence."

After stating the feeling that Congress would hasten to make all the atonement in its power "for its acts to Wisconsin," the memorial continued:

"Should we be disappointed in these reasonable expectations we shall continue to occupy the same position that we do now, with this advantage, that we shall have shown to the world that we have exhibited to the United States Government a disposition . . . amicably to arrange the difficulties in which we are involved by their action, and we shall then have but to satisfy civilized communities that we are right in our claims and pretensions to secure their sympathy and kind feeling, and we can thus safely entrench ourselves behind the Ordinance of 1787, fortified by the doctrine well understood in the country, that all political communities have the right to govern themselves in their own way, within their lawful boundaries, and take for themselves . . . the boundaries fixed by that ordinance, form our State constitution . . . apply for admission into the Union, and pursue, exercise, and enjoy all the rights, privileges, and powers of the sovereign, independent State of Wisconsin, and if difficulties must come, we could appeal with confidence to the Great Umpire of Nations to adjust them."

But this was not all. Other threats were spoken:

"Should Congress, however, turn a deaf ear . . . or refuse to atone for the wrongs they have done us, we ask them, before doing so, to reflect on what they may reasonably imagine may be the consequences, and to know, as they well may, that Wisconsin will never submit to so gross a violation of her rights, and that, after she has done all to obtain a peaceable redress of her wrongs which reason demands, and shall have failed, she will resort to every other means in her power to protect and preserve her rights, and that she will never lose sight of the principle that, whatever may be the sacrifice, her boundaries must be observed."

Then came the call to Congress to "do justice, while yet it is not too late, to a people which have hitherto been weak and impotent, but who are rapidly rising to giant greatness, and who, at no distant day, will show to the world that they lack neither the disposition nor the ability to protect themselves."

When the address was proposed in the Wisconsin legislature a member felt it was not strong enough. He wanted to entitle it, "A declaration of war against Great Britain, Illinois, Michigan, and the United States." Another man wanted to add the statement that the claim would not be abandoned, but would be "maintained to the death." While his amendment was lost, the address was adopted by a vote of fourteen to twelve.

When Congress heard these fiery words sent from Wisconsin, it took the best possible course; it ignored them!

In April, 1847, the people of Wisconsin rejected the constitution that named the boundaries to which such strenuous objection was made. A second constitutional convention, held in 1847 and 1848, was approved by Congress. In 1848 Wisconsin was admitted to the Union, but without the longed-for Upper Peninsula.

A writer in the Racine *Advocate,* a few months before the admission of the State, gave utterance to a thought that to many seemed extreme at the time, but gradually it was accepted by most people in the State:

"Congress may have done an impolitic thing in giving Michigan country on the opposite side of the lake, contiguous to our territory; but, politic or impolitic, Congress in doing so performed an act clearly and plainly within its power, and of which we have no right to complain."

A second disappointment to Wisconsin was due to the failure to secure the vast territory west to the Mississippi, then north to its source, and on to the Canada line.

Again the Ordinance of 1787 was appealed to for the boundary. Clearly, Wisconsin said, being the fifth State to be erected out of the Northwest Territory, she had a right to all of that Northwest Territory not embraced within the other four States.

But Congress wanted a State on the headwaters of the Mississippi, with a boundary on Lake Superior.

Moreover, residents of the St. Croix Valley were eager to be included in Minnesota; they felt that their commercial interests were bound up in that Territory. In the first constitutional convention, the residents of St. Anthony's Falls, Fort Snelling, Stillwater, and various other settlements made known their unalterable opposition to being made part of Wisconsin. For a time it seemed as if their objections were to persist to such an extent that

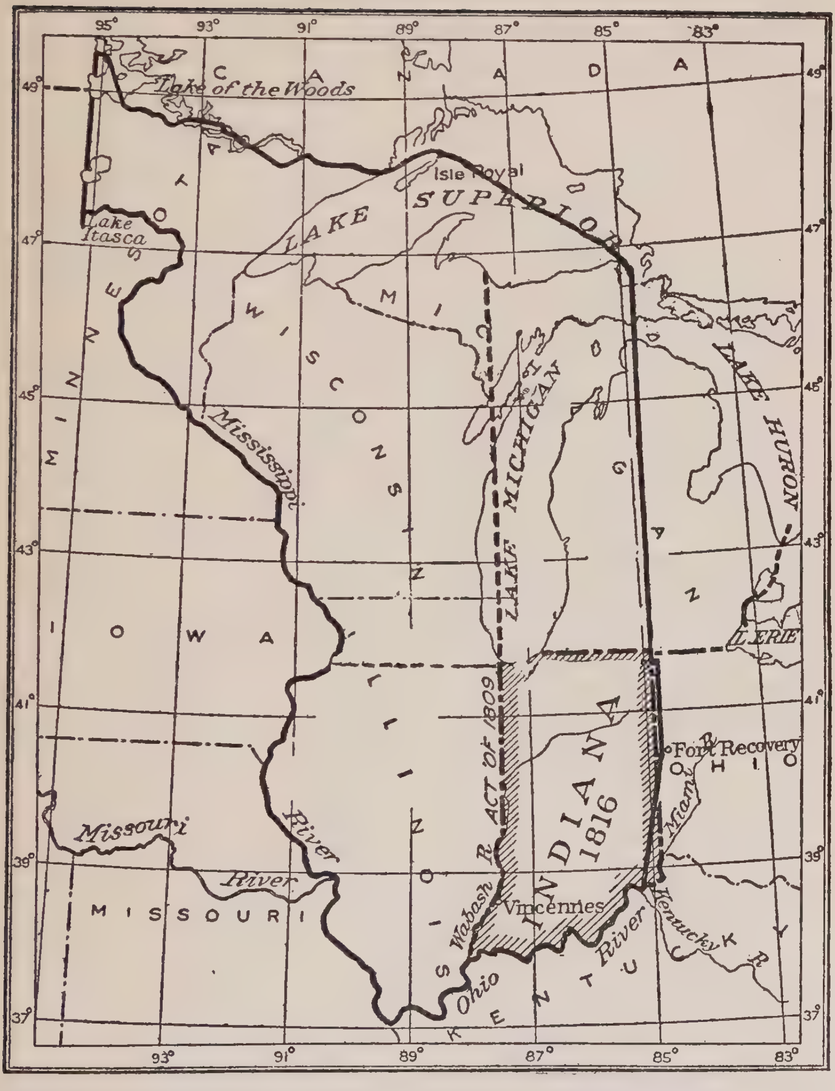
Wisconsin would lose not only this, but much other valuable territory now safely within her borders.

Over this territory, also, feeling waxed warm. A writer to the Prairie du Chien *Patriot* did his best to show that both Wisconsin and the St. Croix protestants needed the western line "from the Falls of St. Anthony to the Falls of the St. Louis River." One reason given was that when a railroad was built across the eighty miles separating the St. Croix and the St. Louis Rivers, "the traveling public from the Gulf of Mexico and St. Croix, who make their pleasure excursions or go for health to the north and east, in summer season, would travel by this route. This route would be desirable not only for its matchless scenery, the Falls of St. Anthony, the Pictured Rocks on the lake, etc., but the idea of ascending the greatest river in the world to the head of its navigation, and then by half a day's ride across a beautiful country, dotted with small lakes, fine prairies, and pleasant groves, take shipping at the head of the greatest chain of lakes in the world, and pass down by the richest mines in the world, eat the best fish, see the grandest falls, has in it a charm that would bring hundreds of thousands to see and enjoy it.

"Such a road and such a state of things would be the making of St. Croix. But if St. Croix goes into the new Territory, it will be a great while before it will enjoy these great advantages."

In vain Wisconsin tried to secure "a large tract which embraces the whole of what are now the Minnesota counties of Worthington and Ramsey," and portions of five more counties, including what is now the city of St. Paul.

Finally the boundary was fixed on the northwest in such a way as to give to Wisconsin even less territory than she has to-day. To an accident she owes the retention of a small part of what she wished.



MAP SHOWING TERRITORY BETWEEN OHIO AND MICHIGAN; ADDITION MADE TO MICHIGAN GIVEN IN SETTLEMENT OF DISPUTE WITH OHIO; WISCONSIN'S CLAIM IN NORTHERN ILLINOIS; INTERNATIONAL BOUNDARY THROUGH LAKE SUPERIOR AND THE STREAMS AND LAKES TO THE LAKE OF THE WOODS

This is the interesting story:

The surveyor was sent in 1852 to mark the boundary from "the first rapids in St. Louis River, above the Indian village, then due south to the main branch of the River St. Croix."

The Indian village was on the site of Fond du Lac. "There the waters of Lake Superior ordinarily meet, in a narrow bay, three of the rivers," says Thwaites. "But when the surveyor visited the site, the water was high, and rapids did not appear where they were in low water. So the surveyor went up stream until he found rapids. By this means Wisconsin gained "a ribbon of dense pine forest, fifty-two miles long by about half a mile broad."

But what was in many respects the most interesting of the various claims made by Wisconsin was a southern boundary on the east and west line down through the southern end of Lake Michigan. The Ordinance of 1787 was referred to as the authority for making the claim.

Of course Illinois, when admitted to the Union in 1818, had been given a line more than sixty miles farther north than Wisconsin's claim. But what of that? If it was wrong to give up the territory to Illinois, it was right to give that territory back to Wisconsin.

It was pointed out that the Ordinance of 1787 merely said that Congress should have power to form one or two States in that part of the territory lying north of the east and west line referred to. Everything depended on the interpretation. Congress had given one interpretation; Wisconsin claimed another.

Wisconsin's pretensions were expressed in an article in the Lancaster, Wisconsin, *Herald*, in January, 1846:

"When Congress admitted Illinois into the Union with her present northern boundary, it was with the express understanding and expectation that her northern boundary would be altered or carried south whenever Congress should find it expedient to form either one or two States north of Illinois. That contingency has occurred, and the northern boundary of Illinois is now subject to be altered—to be removed to said east and west line. Those fourteen counties in Illinois north of said line came under the jurisdiction of Illinois with a proviso, on a condition, and for a period of time, which was to terminate whenever Congress deemed it expedient to form a State north of Illinois; whenever a State should be thus formed north of Illinois, they were to constitute a part of it. When Congress last winter provided for admitting a State north of Illinois, every free inhabitant north of said east and west line became *ipso facto* absolved from all allegiance to Illinois. This is the plain English of it. These are our rights—rights which ought to be manfully maintained, but which have been most shamefully abandoned."

In fact, it was an afterthought which gave this bit of territory to Illinois. The original bill, introduced by the delegate in Congress from Illinois, called for the bounds later asked for by Wisconsin. But he offered an amendment later, asking for an extension of territory to the northward, sixty-one miles wide, or 8,500 square miles. The argument was that Illinois needed the lake outlet, and that the nation needed a State whose interests would not be bound up with the Ohio and Mississippi Rivers. If so limited, "in case of national disruption, the interests of the State would be to join a southern and western Confederacy. How different the case would be if the boundaries sought were given! Thus a rival interest would be created, to check the wish for a western or southern Confederacy."

The amendment was agreed to, but no provision was made to ask the assent of the people north of the east and west line from the extremity of Lake Michigan.

So matters rested until 1838, when Governor Dodge of Wisconsin sent a memorial to Congress in which he asked that "the southern boundary of Wisconsin be so far altered as to include all the country in question."

Congress did nothing. Wisconsin, therefore, by its legislature, adopted resolutions on December 31, 1839, declaring that Congress had violated the Ordinance of 1787, and that "a large and valuable tract of country is now held by the State of Illinois, contrary to the manifest right and consent of the people of this Territory."

The only way out was for the people of the disputed territory—which contained such settlements as Galena, Freeport, Rockford, Oregon, Dixon, and Chicago—to join in the vote on forming a State constitution, and to send delegates to any constitutional convention determined on.

In northern Illinois the proposition of Wisconsin provoked favorable comment. Mass meetings in the disputed territory adopted resolutions in favor of Wisconsin's pretensions. Citizens of Stephenson County, Illinois, sent to Congress a petition asking that "Wiskonsin" be given their "ancient rights secured to them by the Ordinance" (of 1787).

A convention held at Rockford, Illinois, on July 6, 1840, in which nine counties were represented, not only said that Wisconsin had a right to the fourteen counties in the strip, but also urged the election of delegates to a convention to be held in Madison, Wisconsin, in November, to take measures for the adjustment of the southern boundary.

Strange as it may seem, Wisconsin was not a unit in favoring the plan. A meeting in Green Bay in April, 1840, voted that the people "viewed the resolution of the legislature with concern and regret."

The result of the election was not in favor of having a State government, so politicians were compelled to bide their time.

Delegate Doty tried in Congress to get consideration for a bill changing the southern boundary of Wisconsin, but he failed.

In February, 1842, a member of a committee in the Wisconsin legislative council tried to inflame his comrades:

"Let us maintain that right at all hazards, meet in convention for a State constitution, extend our jurisdiction over the disputed tract, if desired by the inhabitants there, and then, with loyal right and immutable justice on our side, the moral and physical force of Illinois, of the whole Union, cannot make us retrace our steps."

Thwaites, from whose account these facts are taken, says that in March, 1842, at an election in Stephenson County, in the disputed tract, 569 votes were cast in favor of uniting with Wisconsin. One vote opposed the union. In Boone County the vote was 495 to 1. Doty sent word to the Governor of Illinois that the fourteen northern counties of the latter State were within the limits of the fifth of the northwestern States established by the Ordinance of 1787, and not, therefore, within the constitution and boundaries of the State of Illinois. Illinois might be exercising jurisdiction over them, but this was only accidental and temporary.

Gradually, however, the interest abated. Various efforts made by Governor Doty were ineffective. And before many years the people of Wisconsin were ready to agree with the writer in the Racine *Advocate* who, in 1847, said concerning the right asserted by Wisconsin to the Illinois territory:

"But, admitting that we had that abstract right, it is a right as obsolete to all intents and purposes as a right to Paradise. Illinois is in possession, and has been for almost thirty years. In so doubtful a case of right as it must be admitted to be, the councils and the tribunals of the United States would undoubtedly and properly decide in favor of the *status quo*. . . . For thirty years the settlements of the disputed country have been made under Illinois habits and governed by Illinois laws. With these we have little sympathy; and if our right to the country were to-day to be admitted, and the possession surrendered to us, we would find ourselves far outnumbered by its inhabitants and our new State controlled and governed by men who would not be of it in habits, feeling, affection, or association, who would be the stepchildren of the State, and would make her a sort of reformed Magdalen of Finance—a second Illinois, little better than the first."

The same paper said, at another time, that the abandonment of the boundary claim was wise. "Wisconsin has acted in the only way in which she could act on the subject—with discretion and with dignity."

CHAPTER XVIII

WHAT "THE BALANCE OF POWER" DID IN IOWA

THE story of boundaries in Iowa is of special interest because the struggle for them illustrates the strong feeling there was in the United States, during the generation preceding the Civil War, concerning the balance of power between sections of the country.

For a complete understanding of the problem presented by Iowa to Congress it is necessary to go back to 1803, when Louisiana was acquired by the United States. The new territory was at first divided into Lower Louisiana and Upper Louisiana; later these names became the Territory of Orleans and the District of Louisiana.

For a time the District of Louisiana was under the jurisdiction of the Territory of Indiana. In 1805 the name was changed once more to the Territory of Louisiana, while in 1812 it became the Territory of Missouri.

Seven years later the Territory of Arkansas was created from a part of the Territory of Missouri. The remainder of the Missouri Territory was practically an orphan until 1834, when Congress enlarged the Territory of Michigan so as to include all of what is to-day Michigan, Wisconsin, Missouri, Iowa, half of South Dakota, and two-thirds of North Dakota. And two years later the Territory of Wisconsin was given all the country, except that contained in the new Michigan Territory.

By this time the residents of what is now Iowa were becoming much more numerous. And they were deeply concerned lest the organization of Missouri Territory, and the proposed removal of the seat of government to the vicinity of the Four Lakes east of the Mississippi, would deprive them of the political importance which they felt was their right. How could the Iowa District be cared for properly by legislators hundreds of miles away?

The sentiment of the people was expressed at Burlington on September 16, 1837, when it was agreed that there should be a separate Territory west of the Mississippi, for this was the only means of securing to the citizens thereof the benefit of a government of law. In November of the same year a Territorial Committee asked Congress for the organization of Iowa Territory.

But opposition developed in Congress. A Congressman from Ohio said that the people in the territory in question had settled on the lands in a manner contrary to law. "Who are those that pray for the erection of a new Territory? Individuals who have left their own homes and seized the public land. . . . If they will not move peaceably, they should go at the point of the bayonet."

Another Congressman said he "would never consent to the coming in of these Territories as States into the Union, when the fanatical spirit of the North was pouring into the House memorials against the annexation of Texas, simply because it was cursed with the peculiar institution of the South." If the Iowa Territory was created, he would insist on the annexation of Texas.

A North Carolina Congressman said that Iowa, if made a Territory, would be simply "a fresh, rich field to those who speculate in public lands." It would mean, moreover, "a batch of new offices created for such as seek Executive power."

Further objection was voiced by a man who said that the liberal land policy of the government was encouraging the young to leave the South. "If the Territory of Iowa be now established," he went on, "it will soon become a State, and if we now cross the Mississippi, under the beautiful patronage of the government, the cupidity and enterprise of the people will carry this system still further, and ere long the Rocky Mountains will be scaled, and the valley of the Columbia be embraced in our domain. This then is the time to pause."

In spite of opposition, the Territory of Iowa was created by the enabling Act of 1838. The first Governor was Robert Lucas, who, when Governor of Ohio, had been a leader in the mimic war between Michigan and Ohio for the possession of Toledo, and a narrow strip of territory to the west of that town.

The prophecy of opponents of the action of Congress was fulfilled. Almost at once Governor Lucas began to move for recognition of Iowa as a State. His efforts did not meet the approval of the people whom he governed. But when John Chambers of Kentucky became Governor, there was a different story. By that time there were about seventy-five thousand people in the Territory. His recommendations led to the meeting of the delegates at Iowa City in October, 1844.

The parsimony of these delegates was apparent when they fixed, after much debate, the salary of the Governor. He was to receive $800 per year! Other officials were to be made proportionately wealthy.

But in one respect the body was most generous. In describing the boundaries desired for the new State, it declared that these should include not only what is now embraced in Iowa, except the extreme northwest corner, but also the territory described by a line drawn from the mouth of the Sioux River to the north of the Blue Earth River; thence along the St. Peter's River to the Mississippi

River. Thus they asked for thousands of square miles that are now a part of Minnesota.

Yet there was opposition to these generous claims. One delegate felt that the proposal "would take in broken and comparatively valueless country, which had no natural connection with the State. . . . It would also include the territory of the Sioux Indians, title to which would hardly ever be extinguished." This would be a resort for desperadoes.

There were, however, those who proposed even more; they wished to go above the St. Peter's, where the land excelled anything in the settled parts of the Territory.

It is interesting to note the comments made by Iowa, after the convention, and before action by Congress. The Iowa *Capital Reporter* of November 9, 1844, said:

"Should Congress approve (as undoubtedly they will) our proposed boundary, Iowa, in point of extent and richness of territory, will be unequalled by any State in the Union. The boundary selected by the Convention is the most natural which can be devised; and gives us the majestic Mississippi for an entire eastern barrier, and carries our empire north to the St. Peter's, and far west to the dark, rapid waters of the Missouri."

Governor Chambers had urged the people to be chary of asking too much. He told them: "The establishing of a boundary for us by Congress will prevent the intervention of any difficulty or delay in our admission to the Union, which might result from our arranging limits which that body might not be disposed to concede to us."

For a time it looked as if the event would prove the Governor's fear groundless. The House Committee on Territories, in reporting the bill for the creation of Iowa, suggested no change in the boundaries.

Soon, however, came the opposition that had been feared. The reason for it cannot be understood without reading a statement made by Shambaugh, an Iowa historian:

"When Iowa applied for State organization in 1844, Florida had been waiting and pleading for admission since the year 1838. The reason for the delay was very generally understood and openly avowed. States should be admitted not singly, but in pairs. Florida was waiting for a companion. And so, in 1844, it fell to Iowa to be paired with the peninsula. The principle involved was not new; but never before had two States been coupled in the same act of admission. The object sought was plainly the maintenance of a balance of power between the North and the South.

"But back of the principle of the balance of power, and for the promotion of which that principle was invoked, stood Slavery. The institution of free labor in the North must be balanced by the institution of slave labor in the South, since both must be preserved.

"Thus the opposing forces of slave labor and free labor, of State Rights and Union came to be an issue over the boundaries of the proposed State of Iowa."

An Ohio Congressman said that Iowa should not be made too large; the country needed more States, that the West might not be deprived of its due power in the Senate. He declared: "The power of controlling the government in all its departments may be more safely entrusted to the West than in any other hands."

In case of any attempt at dividing the Union, he said: "The West must and will rally to a man under the flag of the Union. . . . To preserve the Union, to make its existence united, is the high duty arranged by Providence itself to the great central power."

Therefore it seemed wise to some to divide Iowa. The proposition led an Alabama Congressman to say: "If Iowa is to come in without dismemberment, let Florida enter in like manner, but if Iowa is divided, then let Florida be divided also."

The result was that the report of the Committee on Territories was amended, and the proposed boundaries of Iowa were sadly cut. The so-called Nicollet boundaries were substituted for the Lucas boundaries; the State was to go only two-thirds of the distance from the Mississippi to the Missouri, and it was to lose half of the territory desired between the present northern boundary of Iowa and the St. Peter's River.

That the action of Congress led some of the ardent friends of Iowa to waver is seen by an editorial in the *Recorder,* the paper which had spoken so confidently of the approval of the boundaries as asked. On March 15, 1845, this was printed:

"Can we get it? Of this we have a very serious doubt. There is a question connected with the boundary proposed by the Convention which would afford a very proper subject for speculation. Suppose the great and rich valleys of the Mississippi and of the Missouri inhabited by a dense population, and the comparatively barren country that divided the waters which flow into each holding but a sparse population, and the representatives of all to meet in the legislative councils, would not such a session be anything but harmonious, perhaps positively discordant? Would it not be better that a State should be formed upon the Mississippi, another upon the Missouri, where the inhabitants of each would be perfectly within their own control?"

Two weeks later a message even more positive was given:

"It is really a very grave question whether it is not a

JUST ABOVE DUBUQUE, IOWA, ON THE MISSISSIPPI RIVER

WEST FRONT OF STATE HOUSE, DES MOINES, IOWA more satisfactory boundary than that proposed by the Convention. National pride and exaltation might dictate to us a larger extent of country, by which rule we might claim to the shore of the Pacific: but as a separate community, amongst ourselves, would our property advance in a similar proportion. . . . Subsequent information has convinced us that [the boundary proposed] was not of that importance which we had supposed."

Therefore the paper urged prompt acceptance of the proposals of Congress. "We are one of those who believe that Congress will be neither coaxed nor compelled to retract a step it has once taken, and that breath spent in such an enterprise is but labor thrown away."

Suppose Iowa persisted in the purpose to reject the proposal of Congress? Iowa was paired with Florida. If they lost the chance, it might be given to Wisconsin, and "perhaps we might remain in colonial servitude longer than we wish."

The sentiment in the East was reflected by the Baltimore *American* which, on May 3, 1845, said:

"Iowa, as now constituted, is capable of sustaining 15,000,000 inhabitants. The people of the West are accustomed to things on a gigantic scale. Their rivers, forests, prairies, cataracts and caverns are of the sublime order; their lakes are inland seas; they measure pork by the cord, and mass meetings by the acre. It is quite natural that they should wish every one of their States to be in dimensions an empire. Iowa is a giantess in swaddling clothes; she uses the cradle in which Hercules was rocked. Yet is she disposed to complain that she is stunted."

Of course there was much feeling in Iowa. Sides were taken by the people, and a warm contest was promised for the election to ratify the constitution, with the awarded boundaries. In the midst of the clamor Iowa's delegate in Congress, Augustus Dodge, urged the people to adopt it. He said: "The dividing ridge of the waters running into the Mississippi and Missouri Rivers, called 'The Hill of the Prairies,' and which has been excluded from our new State, is barren and sterile."

No wonder some said, "Sour Grapes!" But the constitution was rejected by 996 votes. A second time it was submitted to the people; this time the majority against it was reduced, but the result was the same.

Then came the Second Constitutional Convention. This met in Iowa City on May 4, 1846. While it was in session Congress was proposing a compromise. Stephen A. Douglas was back of this. Some opposed it, but Delegate Dodge of Iowa gave this warning:

"I admonish the majority of the House that if the amendment of the gentleman from Ohio is to prevail, they might as well pass an act for our perpetual exclusion from the Union. Sir, the people of Iowa will never acquiesce in it."

So the compromise was offered, on the basis of the present boundaries. The compromise was accepted, and the State was admitted, on December 22, 1846.

It was long before the bitterness of feeling engendered by the contest died away, not only in Iowa, but in the South, where there was regret that a policy had prevailed which left in the fateful background a number of other States which would take their places to threaten the South.

So much for the northern boundary of Iowa. But on the south there was also difficulty, though of another sort entirely. There the tension of many years was alleviated by frontier humor, though tragedy stalked not far away and was averted only by good sense and good fortune.

This southern boundary was for many years a rather indefinite affair. When Missouri was admitted to the

Union, her northern boundary was "to correspond to the Indian boundary line." The language referred back to the Indians' action in 1808, when they ceded to the United States all their claim to lands to the mouth of the Missouri River. Unfortunately the exact bounds were not marked out for many years, though an attempt was made to do so in 1816.

The difficulty was made greater by the cession of some Indian lands at the close of the Black Hawk War; then the United States gained control of a territory fifty miles wide along the Mississippi, but adjoining the State of Missouri. At first, of course, these former Indian lands were a part of the Territory of Michigan, and, later still, of the Territory of Wisconsin.

Then Iowa gained recognition as a separate Territory. But how far south was she to extend? To the northern boundary of Missouri, of course. But just where was the boundary?

The answer was given, "The boundary is the parallel of latitude passing through the rapids of the Des Moines River."

That sounded simple until it developed that the Des Moines River had more than one series of rapids. Were rapids up the river intended? If the rapids below the mouth in the Mississippi were intended, should the line begin at the north end or the south end of these rapids? Even this question involved a strip of territory twelve miles wide, since the rapids extended from Keokuk to Montrose.

Missouri claimed that the references in the boundary provision were to rapids sixty-three miles above the mouth, at the Great Bend.

The question did not cause difficulty until the coming of settlers to lands west of the Des Moines River. To whom did they belong? Should they pay taxes and other obligations to Missouri on the south, or to Iowa Territory on the north?

The uncertainty was especially acute in the twelve-mile strip stretching westward from the rapids. Naturally criminals took advantage of the situation by playing hide-and-seek with the sheriff. Officers of the law were arrested on the charge of asserting their authority where they had no jurisdiction. Many of those who lived in or near the disputed tract were squatters or hunters, and the percentage of ruffians among them was high. Naturally, the worth-while settlers were kept away by their presence.

Governor Lucas, doubtless remembering the days of the Wolverine War in Ohio, caused by question as to the jurisdiction of Michigan or Ohio over a narrow strip of territory, which included Toledo at its eastern end, was sure that a force of soldiers was needed to preserve order and assert the authority of Iowa on the border.

Several companies were organized. In Burlington one of these was ready for the field, while a second was formed in Davenport.

In the archives of Iowa local historical societies is preserved a pleasing story of the days when the situation might have become tense, written by H. A. Hebard, a man whose sense of the ridiculous must have saved him many times from a dreary outlook on life. He tells how, in February, 1840, he found at his cabin a commission telling him that he was to raise a military company for border service, of which he was to be captain, and that he was to report for duty as soon as possible. He felt that the Governor was making a mistake, but he had no choice but obedience.

So he sent out couriers "to sound the tocsin in the remotest corners, proclaim the imminence of war, and call upon all able-bodied men to appear on the following Monday at Billy Moore's blacksmith shop, ten miles west of Burlington." The men were informed that they must bring all "war machinery within their reach."

Monday came. The captain, with an old dragoon sword strapped to his side, made a brief speech. Then he proceeded to scrape a line on the light snow on the ground, and asked all who would go to war to step forward and toe the mark.

Several minutes passed without movement. Was the call of the Governor to be so lightly regarded? No! Two Irishmen stepped forward. Slowly, very slowly, others followed them. After a while the majority stood on the line. By their attitude most of them seemed to be saying, "Captain, we're in for it now, but we are not the most willing recruits." Yet they laughed; they could see the ridiculous side of the situation.

They were told to go home and return after two days. When they were once more assembled, hilarity was forgotten; it was evident that they had been thinking what the expedition in store for them meant. Hebard wrote:

"They found a log cabin, on the edge of a grove, with its early smoke rising straight to the clouds; the woodpile at the door, consisting of a few saplings covered with snow; a dull axe leaning against it waiting to be used; an old cow, with roached back in the angle of a fence that enclosed the hay waiting for attention. But where was the man whose duties were thus suggested? He was marching to the Missouri line, one hundred miles away!"

But in the nick of time came word that the trouble was settled. The boundary line was determined. The order for military service was revoked, and the men could return to their homes and their duties there.

Later—so Mr. Hebard said—an officer of the United

States army was detailed by the War Department to inspect those who had been recruited for the Border War, that he might report to Washington. The news created much interest among the men. What if it meant that they were to receive a month's pay for their brief experience as enlisted men? Money was a scarce article on the frontier, and coin from the government would be most welcome.

So a review was held in Burlington. On the appointed day the streets were thronged. The troops paraded. At the head was Colonel Temple, the commanding officer. "He enjoyed his distinction but a brief moment, though, before he might have been seen brushing the dust from his handsome suit, while a lively nag, with empty saddle and flowing mane, was galloping up the street."

There is no record that the pioneers' longing for a month's pay was gratified. But probably Hebard felt that he had been paid for his experience by the humor it had added to the austere life of the border.

In December, 1849, the United States Supreme Court confirmed the boundary line that had been run most carefully. Monuments were set up at intervals along its length.

After many years many of these markers had disappeared. So, in 1896, by direction of the Supreme Court, there was a resurvey and more permanent monuments were placed.

And that is the story of the southern boundary line of Iowa, which begins at the lower end of the troublesome rapids in the Mississippi, at Keokuk, follows the Des Moines River to a point on the latitude of the beginning of the rapids at Montrose, and then moves triumphantly westward to the Missouri.

Incidentally it may be said that "the dark, rapid waters of the Missouri" have played their part in adding to the humors of Iowa's boundary disputes. The awkward ability of the Missouri to change its course, often suddenly, sometimes gradually, has been responsible for frequent disputes. Perhaps the most notable of these was in consequence of an extraordinary change in the course of the river between Omaha and Council Bluffs. This was in 1877.

Between the cities the stream had long flowed in the form of an ox-bow. But one night the raging waters cut through the neck of the bow, making a new channel in such a manner that much land was taken from Nebraska and added to Iowa.

At least Iowa said it was her land. Nebraska disputed the claim. There were weighty arguments on both sides. But, as George Cowles said in the *Journal of American History:* "The Court held that the rule of the old common law was still applicable—that when there was a gradual change in the channel of a river, caused by accretion or decretion, the ever-varying channel continued to be the boundary, but upon a sudden break, the boundary was not changed."

When the claim was made that the old rule should not apply to the Missouri River, because of the peculiar soil along its banks, and the consequent rapid and sudden change of course, the Court said that the rule had been held applicable to the lands along the Mississippi, and it must serve for the Missouri.

BIBLIOGRAPHY

Account of the Boundary Dispute with Ohio. Michigan Pioneer and Historical Collections, Vol. XII. Lansing, Michigan, 1887.

Alaska Boundary, The. By Hon. John W. Foster. National Geographic Magazine, Vol. X.

Alaska Boundary Tribunal, The. By Hon. John W. Foster. National Geographic Magazine, Vol. XV.

Alaska Line a Frontier, The. Thomas Willing Balch. Philadelphia, 1902.

All-American Route to the Klondike. By Edward Gillette. Century Magazine, May, 1900.

Along Our Side of the Mexican Border. By Frederick Simpich. National Geographic Magazine, July, 1920.

Annals of Calais, Maine, and St. Stephen's, New Brunswick. Calais, 1875.

Ashburton, Lord, and the Treaty of Washington. By Ephraim Douglas Adams. American Historical Review, Vol. XVII.

Asking The Trees to Speak. By Charles F. Cook. Scientific American, August 14, 1909.

Bicentennial Celebration of the Board of Proprietors of East New Jersey. Newark, 1885.

Board of Proprietors of East Jersey. By David McGregor. Proceedings New Jersey Historical Association, July, 1922.

Border War Between Iowa and Missouri. By Hon. Alfred Hebard. Annals of Iowa, Vol. I, Third Series. Des Moines, 1893.

Boundaries, Area, Geographic Centers, and Altitudes of the United States and the Several States. By Edward M. Douglas. Bulletin 689, United States Geological Survey. Washington, 1923.

Boundaries Formerly in Dispute Between Great Britain and the United States. By Hon. Sir Francis Hincks. Montreal, 1885.

Boundaries of Canada, The. By Otto Klotz. Berlin, Ontario, 1914.

Boundaries of Michigan, The. By Prof. Claude S. Larzelere. Michigan Pioneer and Historical Collections, Vol. XXX. 1906.

Boundaries of the State of New York. By Daniel J. Pratt, Ph.D., Vol. II. Albany, 1884.

Boundaries of Wisconsin, The. By Reuben G. Thwaites. Collections of State Historical Society of Wisconsin, Vol. XX.

Boundary Disputes of Connecticut. By Clarence Winthrop Bowen. Boston, 1882.

Boundary Lines Between Connecticut and New York. By Simeon E. Baldwin. New Haven, 1882.

Boundary Question, The. Westminster Review, London, June, 1840.

British Attitude to the Oregon Question, 1815-1846. By Joseph Schafer. American Historical Review, Vol. XVI.

Building a Railroad into the Klondike. By Cy Warman. McClure's Magazine, March, 1900.

Calendar of Virginia State Papers, Vol. I, 1652-1781. Richmond, 1875.

Centennial Celebration of the Evacuation of Detroit by the British. Detroit, 1896.

Champlain Tercentenary, The. Albany, 1913.

Colonial Records of Pennsylvania, Vol. V, 1745-1754. Harrisburg, 1851.

Concise View of Oregon Territory. By Elijah White. Washington, 1846.

Connecticut as a Colony and as a State. Edited by F. Morgan. Hartford, 1904.

Connecticut Gore, The. Stated and Considered. Hartford, 1799.

Conquest of the Southwest, The. By Ella Raymond Shaw. Chicago, 1924.

Conspiracy of Pontiac. By Francis Parkman.

Controversy Between New York and New Hampshire, Respecting the Territory of the State of Vermont. Documentary History of New York, Vol. IV. Albany, 1851.

Council of Proprietors of West Jersey. By Chester Craig. Camden County Historical Society, Vol. I, No. 3.

Cresap, Thomas. Maryland Historical Magazine, Vol. IX.

Definitive Statement on the Part of the United States of the Case Referred by the Convention of 29th September, 1827, Between the United States and Great Britain, to His Majesty, the King of the Netherlands, for His Decision thereon. Printed and not Published. Washington, 1829.

Disruption of Virginia, The. By James C. McGregor. New York, 1922.

Disturbances Concerning the Neglected Boundary. By Bernard C. Steiner. Pennsylvania Magazine of History, Vol XXXVIII.

Documentary History of the Northeastern Boundary Controversy. Piscataquis County (Maine) Historical Society Collections, Vol. I.

Establishment of the Boundary Between the United States and Canada, Arctic Ocean to Mt. St. Elias. Department of State, Washington, 1918.

Establishment of the Boundary Between the United States and Canada. Forty-ninth Parallel to the Pacific Ocean. Department of State, Washington, 1921.

Establishment of the Boundary Between the United States and Canada. Source of the St. Croix River and the St. Lawrence River. Department of State, Washington, 1924.

Ethan Allen's Narrative of the Capture of Ticonderoga and of His Captivity and Treatment by the British. Written by himself. Fifth Edition. Burlington, 1849. (First edition dated Bennington, 1779.)

Facts and Historical Events of the Toledo War of 1835. By W. V. Way. Toledo, 1869.

Famous Border Disputes Between States of the Middle West. By George Cowles Lay. Journal of American History, April, 1911.

Final Statement on the Part of Great Britain, According to the Provision of the Convention Concluded Between Great Britain and the United States, on the 29th of September, 1827, for Regulating the Reference to Arbitration of the Disputed Points of Boundary Under the Fifth Article of the Treaty of Ghent. Washington, 1829.

First Crisis in Our Struggle for Statehood. By Waitman T. Willey. West Virginia Historical Magazine, January, 1901.

Forty-fifth Parallel, The, a Detail of the Unguarded Boundary. By Lawrence Shaw Mayo. Geographical Review, January, 1923.

Fragments of the Debate of the Iowa Constitutional Convention of 1844 and 1846. Iowa City, 1900.

From the Coast to the Golden Klondike. By Edward Speiser. Outing, September, 1897.

General History of Connecticut. By Samuel Peters. Edited by Samuel Jarvis McCormick. New York, 1877.

Geographical Sketch of That Part of North America Called Oregon. By Hall J. Kelly. Boston, 1830.

Glaciers as International Boundaries. By Prof. Lawrence Martin Scientific American Supplement, August 30, 1913.

Harriman Alaska Expedition, The. By John Burroughs, John Muir, and George Bird Grinnell. New York, 1902.

Historical Geography of Detroit. By A. E. Perkins. Lansing, 1918.

Historical Sketch of the Aroostook War. Augusta, Maine, 1904.

Historical Sketch of the Northern Boundary of New Hampshire. Collections of the New Hampshire Historical Society, Vol. II. Concord, 1829.

History of Governments, A (Michigan). By Thomas McIntyre Cooley. Boston, 1885.

History of New Hampshire. By Jeremy Belknap. Boston, 1791.

History of New Hampshire. By John N. McClintock. Boston, 1889.

History of the Boundary Dispute Between the Baltimores and the Penns. Harrisburg, 1909.

History of the Oregon Territory. By Thomas J. Farnham. New York, 1844.

How They Fought. Articles from the Detroit Free Press telling of the Toledo War. Michigan Pioneer and Historical Collections, Vol. VII, 1884.

How the Mississippi River and the Lake of the Woods Became Instrumental in the Establishment of the Northwestern Boundary of the United States. By Alfred J. Hill. Collections of the Minnesota Historical Society, Vol. VII.

Indians of Southern Virginia, 1650-1711. Depositions in the Virginia and North Carolina Boundary Case. Virginia Historical Magazine, Vol. VII, April and July, 1900.

International Boundary Between Lake Superior and the Lake of the Woods. By Dr. Ulysses Sherman Grant. Minnesota Historical Society Collections, Vol. XIII, 1898.

Joint Report upon the Survey and Demarcation of the Boundary Between the United States and Canada, Along the Forty-ninth Parallel to the Pacific Ocean. Department of State, Washington, 1921.

Journal of the Proceedings of the Convention Held at Ann Arbor on the Fourteenth Day of December, A.D. 1836. Ann Arbor, 1836.

Journal of the Proceedings of the Convention of Delegates Chosen by Election of the State of Michigan at Ann Arbor, Sept. 26, 1836. Pontiac, 1836.

Journal of the Proceedings of Philip Ludwill. Virginia Historical Magazine, July, 1896, and July, 1897.

Lecture on the Oregon Question. By William Sturgis. Boston, 1845.

Lecture on the Oregon Territory. By Peter A. Brown. Philadelphia, 1843.

Letters from Edmund Burke to the Committee of Correspondence and the General Assembly of New York. Collections of the New York Historical Society, 1849.

Letters of John Fairchild, Governor of Maine, 1839-1843. Edited by Arthur J. Stephens. Lewiston, Maine, 1922.

Maine in Its Northeastern Boundary Controversy. Burrage. Augusta, Maine, 1919.

Making of Pennsylvania, The. By Sydney George Fisher. Philadelphia, 1896.

Marking the Alaska Boundary. By Thomas Riggs, Jr. National Geographic Magazine, July, 1909.

Maryland as a Proprietary Colony. By Newton D. Mereness. New York, 1901.

Message of His Excellency the Governor . . . (as to) the Question of Territory and Jurisdiction in Dispute with the State of New York. Trenton, 1828.

Minnesota's Northern Boundary. By Alexander N. Winchell. Minnesota Historical Collections, 1898.

MINNESOTA AND THE FAR WEST. By Lawrence Oliphant. Edinburgh, 1855.

MISSISSIPPI RIVER AND ITS SOURCE. The Collections of the Minnesota Historical Society, Vol. VII.

MISSISSIPPI VALLEY BEGINNINGS. By Henry E. Chambers. New York, 1922.

NEWSPAPER EXTRACTS, NEW JERSEY ARCHIVES. First Series.

NEW YORK AND NEW JERSEY. New York Legislative Documents, Vol. III, No. 46.

NIAGARA RIVER, THE. By A. B. Hulbert. New York, 1908.

NORTHERN MINNESOTA BOUNDARY SURVEYS, 1822 TO 1826. By William E. Culkin. Minnesota Historical Society Collections, 1904.

NORTHWEST BOUNDARY, THE. History of the Military Occupation of San Juan Island. Department of State, Washington, 1868.

NOTES ON VIRGINIA. By Thomas Jefferson. Richmond, 1853.

OLD NIAGARA CAR, THE. By T. G. Hewlett. Publications of Buffalo Historical Society, Vol. XXV.

OREGON CONTROVERSY REVIEWED, THE. By a Friend of the Anglo-Saxon. New York, 1846.

OREGON QUESTION, THE. By Albert Gallatin. New York, 1846.

OREGON, THE COST AND THE CONSEQUENCES. By a Disciple of the Washington School. Philadelphia, 1846.

OREGONIAN, THE. Published by Oregon Provisional Emigration Society, 1838.

ORIGINAL TERRITORY OF THE UNITED STATES, THE. By Hon. David J. Hill. National Geographic Magazine, March, 1899.

PARKER, GENERAL ELY S., LIFE OF. By Arthur C. Parker. Buffalo Historical Society, 1919.

PENN BREVIATE. Brief for the Proceedings in Court, October, 1740.

PENNSYLVANIA ARCHIVES. Vol. 2, 1748-56. Philadelphia, 1853.

PENN VERSUS LORD BALTIMORE, in Chancery. Undated. [1750?]

PERSONAL NARRATIVE OF EXPLORATIONS AND INCIDENTS IN TEXAS, NEW MEXICO, CALIFORNIA, ETC., CONNECTED WITH THE MEXICAN BOUNDARY COMMISSION, 1850-1853. By John Russell Bartlett. New York, 1856.

PIONEER HISTORY OF THE CHAMPLAIN VALLEY. By Winslow C. Watson. Albany, 1868.

PIONEERS OF FRANCE IN THE NEW WORLD. By Francis Parkman. Boston, 1874.

POLK AND THE OREGON QUESTION. By R. L. Schuyler. Political Science Quarterly, Vol. XXVI.

PROCEEDINGS OF THE INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND MEXICO. Department of State, Washington, 1910.

RAILWAY TO THE KLONDIKE, A. By W. M. Sheffield. Cosmopolitan, May, 1899.

RECALLING PIONEER DAYS. By G. Hunter Bartlett. Buffalo Historical Society. Vol. XXII, 1922.

Records of the East Jersey Proprietors. By Adrian Lyon. Newark, 1916.

Remarks on a War with America, and the Probable Conquest of That Country. London, 1840.

Reminiscences of the Boundary Survey. By William A. Bird. Buffalo Historical Society Publications, Vol. IV, 1896.

Rending of Virginia, The. By Granville Davisson Hall. Published by the Author. 1882.

Report of the Commission Appointed by an Act of Legislature of the State of New Jersey for Settling Certain Differences Between That State and the Commonwealth of Pennsylvania. Trenton, 1817.

Report of the Committee of Investigation Sent in 1873 by the Mexican Government to the Frontier of Texas. New York, 1875.

Report on the Survey of the Boundary Between the Territory of the United States and the Possessions of Great Britain from the Lake of the Woods to the Summit of the Rocky Mountains. Department of State, Washington, 1878.

Report of the Survey of the Maryland-Pennsylvania Boundary. Harrisburg, 1909.

Republic of Vermont, The. By Mayo W. Hazelton. Harper's Magazine, August, 1903.

Short History and Description of Fort Niagara, with an Account of Its Importance to Great Britain. By an English Author in 1755. Brooklyn, 1890.

Southern and Western Boundary of Michigan, The. By Anna May Soule. Michigan Pioneer and Historical Collection, Vol. XXVII.

Speech of Erastus D. Cutler of New York in the House of Representatives, January 30, 1846. Washington, 1846.

Speech of Hon. Volney E. Howard of Texas on the Mexican Boundary Question, in the House of Representatives, July 6, 1852. Washington, 1852.

Stikeen River in 1898, The. National Geographic Magazine, January, 1899.

Struggle Over Ratification, The. 1846-47. By W. M. Quaile. Madison, Wisconsin, 1920.

These United States. A Symposium. Edited by Ernest Gruening. New York, 1923.

Thirty Years in the United States Senate. By Thomas H. Benton. New York, 1856.

Trees as Witnesses in Early Surveying. By Boyd Trescott. Scientific American, September 18, 1909.

Vermont, a Study of Independence. (American Commonwealth Series.) By Rowland E. Robinson. Boston, 1892.

Wandering Islands in the Rio Grande. By Albert S. Burleson. National Geographic Magazine, March, 1913.

WEBSTER'S VINDICATION OF THE TREATY OF WASHINGTON OF 1842. Speech delivered in the Senate of the United States, April 7, 1846. Washington, 1846.

WEST VIRGINIA'S BIRTHDAY. By W. Shandly. West Virginia Historical Magazine, April, 1901.

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